

No. 15-8629

IN THE  
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2015

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ALFREDERICK JONES,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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On Petition For Writ Of Certiorari  
To The United States Court Of Appeals  
For The Third Circuit

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**SUPPLEMENTAL BRIEF FOR PETITIONER**

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## SUPPLEMENTAL BRIEF FOR PETITIONER

This Supplemental Brief is to advise the Court about the Court of Appeals for the Fourth Circuit's published decision in *In re Hubbard*, No. 15-276 (4<sup>th</sup> Cir., June 8, 2016). In *Hubbard*, the court held the rule from *Johnson v. United States*, 135 S. Ct. 2551 (2015), retroactively applicable in Guidelines cases on collateral review because *Johnson* alters "the 'substantive reach' of the Sentencing Guidelines[.]" in that "some crimes will no longer fit the Sentencing Guidelines' definition of a crime of violence and will therefore be incapable of resulting in a career-offender sentencing enhancement." *Hubbard*, No. 15-276, at 19-20 (quoting *Welch v. United States*, 136 S. Ct. 1257, 1265 (2016)).

*Hubbard* deepens the post-*Welch* circuit conflict regarding whether *Johnson* is retroactive to guidelines cases on collateral review, and further demonstrates the need for this Court's immediate guidance. See Reply to Brief in Opposition at 9-10; Supplemental Brief for Petitioner at 1-2.

Respectfully submitted,



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Dated: June 8, 2016

## CERTIFICATE OF SERVICE

I hereby certify that under penalty of perjury that a true and correct copy of the foregoing Supplemental Brief for Petitioner was sent via email and first class mail this 8<sup>th</sup> day of June, 2016, to the following:

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