

To:

Subject: Second Circuit oral arguments next week (October 12-16, 2020)

Date: Thu, 08 Oct 2020 21:21:33 +0000

The Office has three oral arguments in criminal cases scheduled before the Second Circuit next week. They will be argued by phone/zoom, and you can listen to the livestream [at this link](#). Also, you can click on the hyperlinks below to access our briefs.

Tuesday, October 13, 2020

(Winter, Walker, Menashi)

Farhane v. United States

- ██████ arguing
- Motion for certificate of appealability: denial of Section 2255 motion raising ineffective of assistance of counsel claim based on failure to advise about possibility of denaturalization
- First on A calendar; scheduled to start at 10:00 am

(Cabranes, Pooler, Raggi)

United States v. Maxwell

- ██████████ arguing
- Pre-trial appeal: whether district court's order denying D's motion to modify protective order is subject to interlocutory appeal; whether district court abused its discretion in denying the motion
- Second on B calendar; scheduled to start at 2:24 pm

Thursday, October 15, 2020

(Walker, Lohier, Stanceu)

United States v. Louis McIntosh (here and [here](#))

- ██████████ arguing
- Appeal from trial and our cross-appeal from partial grant of Rule 29 motion: sufficiency of the evidence of Hobbs Act robbery counts (intent to commit robbery, interstate commerce, and venue); *Davis* challenge to Section 924(c) conviction (attempted Hobbs Act robbery); *Rehaif* challenge to jury instructions; whether the Rule 32.2 deadline for entry of a preliminary order of forfeiture is jurisdictional
- First on calendar; scheduled to start at 10:00 am