

No. 14-1268

In the Supreme Court of the United States

SANDRA YAMILETH ESPINAL-ANDRADES, PETITIONER

v.

LORETTA E. LYNCH, ATTORNEY GENERAL

*ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT*

MEMORANDUM FOR THE RESPONDENT

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Petitioner contends (Pet. 11-17) that her Maryland arson conviction is not an aggravated felony under a portion of the aggravated-felony definition in the Immigration and Nationality Act (INA), 8 U.S.C. 1101 *et seq.*, that reaches convictions for any “offense described in” 18 U.S.C. 844(i), 8 U.S.C. 1101(a)(43)(E), because Maryland’s arson statute lacks the jurisdictional element in the federal arson statute, 18 U.S.C. 844(i). On June 29, 2015, this Court granted review in *Torres v. Lynch*, No. 14-1096, in which the petitioner also contends that a state arson conviction does not qualify as an aggravated felony under 8 U.S.C. 1101(a)(43)(E) because the state statute of conviction lacks the jurisdictional element in 18 U.S.C. 844(i). The Court’s decision in *Torres* is likely to shed light on whether petitioner’s arson conviction qualifies as

an aggravated felony under 8 U.S.C. 1101(a)(43)(E). Accordingly, the Court should hold the petition in this case pending the disposition of *Torres* and then dispose of this case as appropriate in light of the *Torres* decision.*

Respectfully submitted.

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* The government waives any further response unless ordered by the Court.