

**08-5274 DEAN V. UNITED STATES**

DECISION BELOW: 517 F. 3d 1224

LOWER COURT CASE NUMBER: 06-14918

**QUESTION PRESENTED:**

Whether 18 U.S.G. § 924(c)(1)(A)(iii), establishing a ten-year mandatory minimum sentence for a defendant who "discharge[s]" a firearm during a crime of violence, requires proof that the discharge was volitional, and not merely accidental, unintentional, or involuntary.

CERT. GRANTED 11/14/2008