



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

IN THE SUPREME COURT OF THE UNITED STATES

- - - - -

HAMID MOHAMED AHMED ALI REHAIF, )

Petitioner, )

v. ) No. 17-9560

UNITED STATES, )

Respondent. )

- - - - -

Washington, D.C.

Tuesday, April 23, 2019

The above-entitled matter came on for oral argument before the Supreme Court of the United States at 2:02 p.m.

APPEARANCES:

ROSEMARY T. CAKMIS, ESQ., Orlando, Florida;  
on behalf of the Petitioner.

ALLON KEDEM, Assistant to the Solicitor General;  
Department of Justice, Washington, D.C.;  
on behalf of the Respondent.

1	C O N T E N T S	
2	ORAL ARGUMENT OF:	PAGE:
3	ROSEMARY T. CAKMIS, ESQ.	
4	On behalf of the Petitioner	3
5	ORAL ARGUMENT OF:	
6	ALLON KEDEM, ESQ.	
7	On behalf of the Respondent	25
8	REBUTTAL ARGUMENT OF:	
9	ROSEMARY T. CAKMIS, ESQ.	
10	On behalf of the Petitioner	62
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

P R O C E E D I N G S

(2:02 p.m.)

CHIEF JUSTICE ROBERTS: We'll hear argument next in Case 17-9560, Rehaif versus United States.

Ms. Cakmis.

ORAL ARGUMENT OF ROSEMARY T. CAKMIS

ON BEHALF OF THE PETITIONER

MS. CAKMIS: Thank you, Mr. Chief Justice, and may it please the Court:

To knowingly violate 922(g), one must know the crucial fact that transforms his otherwise innocent firearm possession into a 10-year felony. That fact is his status. Applying a knowledge requirement to that fact makes sense because, ordinarily, firearm possession is lawful and, in fact, in most cases, constitutionally protected.

So it only makes sense that a person should be required to know he fits within that status before his firearm possession becomes illegal.

JUSTICE GINSBURG: What do you do with this -- in this very same statute, there are crimes where the legislature has said

1 explicitly -- well, let's take 922(g), says  
2 selling firearms to one that the defendant  
3 knows or has reasonable cause to believe is a  
4 felon, so that makes -- there's a case where  
5 the status, felon, has to be known to the  
6 defendant, but in the, what is it, 922(g), we  
7 don't have that knowing requirement.

8 So why should we insert it when it's  
9 not there?

10 MS. CAKMIS: Because 924(a)(2) states  
11 that the person must knowingly violate 922(g).  
12 "Knowingly" modifies the verb "violate" and the  
13 direct object, "922(g)."

14 Several of the provisions that are  
15 listed in 924(a)(2) do have other types of  
16 knowledge requirements, but the "knowingly"  
17 still forms the default or the baseline  
18 knowledge if there is not an otherwise inserted  
19 knowledge.

20 Additionally, this Court's precedent  
21 -- and that makes sense in light of this  
22 Court's precedent, which attaches a mens rea to  
23 every element that criminalizes otherwise  
24 innocent conduct. In fact, this Court does so  
25 even when "knowingly" is not in the statute.

1 The Court reads it in.

2 Here, Congress wasn't silent. It put  
3 "knowingly" in the statute for a purpose.

4 JUSTICE KAGAN: Ms. Cakmis, do -- do  
5 you agree that there is no mens rea element  
6 attached to the jurisdictional element?

7 MS. CAKMIS: Yes, Your Honor.

8 JUSTICE KAGAN: And so what is the  
9 difference between the two?

10 MS. CAKMIS: This Court has carved out  
11 a very narrow exception for jurisdiction,  
12 because that relates only to the power of the  
13 Congress to legislate, whereas, in our  
14 instance, we're talking about a substantive  
15 fact, something that criminalizes otherwise  
16 innocent conduct, something that goes to the  
17 defendant's culpability.

18 JUSTICE ALITO: But isn't the -- the  
19 theory behind the conclusion that there's no  
20 mens rea element for a jurisdictional -- no mens  
21 requirement for a jurisdictional element, the  
22 -- the inference that this is not the kind of  
23 element for which Congress wanted to have a --  
24 a -- a mental element? It's an inference about  
25 congressional intent. Would you agree to that?

1 MS. CAKMIS: No, Your Honor, I would  
2 respectfully submit it is an exception carved  
3 out by the Court.

4 JUSTICE ALITO: Yeah, and --

5 MS. CAKMIS: Because --

6 JUSTICE ALITO: -- and what's the  
7 basis for the exception? Why have we carved  
8 out that exception?

9 MS. CAKMIS: In the Commerce Clause,  
10 for example, the defendant's conduct is not  
11 related to that interstate transportation.  
12 There's no requirement that the defendant  
13 himself must transport the firearms in  
14 interstate commerce.

15 JUSTICE ALITO: Well, Congress could  
16 attach a mental element to that, could it not?

17 MS. CAKMIS: Yes, it could. And --

18 JUSTICE ALITO: All right. And so why  
19 do we infer that it didn't?

20 MS. CAKMIS: Because that goes to  
21 Congress's power to legislate and not to the  
22 defendant's conduct, whereas the status --

23 JUSTICE ALITO: No, no. Congress  
24 could attach a mental element to the  
25 jurisdictional element.

1 MS. CAKMIS: Right.

2 JUSTICE ALITO: It could, right?

3 MS. CAKMIS: Yes, sir.

4 JUSTICE ALITO: We infer -- we -- we  
5 say but it didn't. Right?

6 MS. CAKMIS: Yes, sir.

7 JUSTICE ALITO: And why do we say  
8 that?

9 MS. CAKMIS: Again, because of the  
10 difference that's being targeted. The  
11 defendant's conduct is not being targeted by  
12 that element. It's something --

13 JUSTICE ALITO: But why? Why do we  
14 say that it's -- I'll try one final time.

15 MS. CAKMIS: I'm sorry.

16 JUSTICE ALITO: What -- what is the  
17 theory behind the conclusion that Congress did  
18 not want the mental element to apply to the  
19 jurisdiction -- the mental requirement to apply  
20 to the jurisdictional element?

21 MS. CAKMIS: And, again, from what  
22 I've gleaned from this Court's cases, it's that  
23 the defendant's culpability is not at issue.

24 JUSTICE KAGAN: Well, this --

25 JUSTICE KAVANAUGH: The



1       blameworthiness of the defendant is not --

2               MS. CAKMIS:   Yes, sir.

3               JUSTICE KAVANAUGH:  -- right --

4               MS. CAKMIS:   Yes, sir.

5               JUSTICE KAVANAUGH:  -- in those  
6       elements, because whether you knew about the  
7       jurisdictional hook doesn't really go, we've  
8       assumed, to your blameworthiness, whereas  
9       whether you knew the elements of the offense,  
10      the other elements of the offense do, right?

11              MS. CAKMIS:   Yes, Your Honor, thank  
12      you.

13              JUSTICE ALITO:   But it's an inference  
14      about what Congress intended.  That's what it  
15      -- we -- we infer Congress didn't want this.  
16      It could have done it, but it didn't do it.  It  
17      didn't say it didn't do it directly, but we  
18      infer that it didn't do it.

19              MS. CAKMIS:   Yes, Your Honor.

20              JUSTICE ALITO:   And the reason we --  
21      we infer that because we think this is just not  
22      the kind of element that Congress wants to have  
23      a mental requirement attach to, unless it says  
24      so expressly.

25              MS. CAKMIS:   Yes, Your Honor.  We do

1 infer that a mental element would attach to it  
2 if it's not simply jurisdictional, if it's not  
3 solely concerning Congress's power to legislate  
4 but has a substantive hook.

5 JUSTICE ALITO: Okay. So what is the  
6 -- what reason would there be to infer that  
7 Congress wanted the mental requirement to apply  
8 to the -- the defendant's own status?

9 MS. CAKMIS: First of all, there is  
10 the language and structure of the statute.  
11 They put "knowingly" directly into 922 --  
12 924(a)(2) in front of "violate 922(g)."

13 If they had only wanted it to skip and  
14 to apply to the jurisdictional element --  
15 excuse me -- to the possession element, they  
16 logically would have put it immediately in  
17 front of the possession element, after the nine  
18 categories of people.

19 JUSTICE ALITO: What if there were no  
20 mental -- what if the statute itself made no  
21 mention of any mens rea?

22 MS. CAKMIS: Even when the statute is  
23 silent, this Court has inferred a mens rea for  
24 each substantive element, each element that  
25 relates to blameworthiness and to the -- it

1 criminalizes otherwise innocent conduct.

2 JUSTICE ALITO: So then your argument  
3 really doesn't depend on the text of the  
4 statute?

5 MS. CAKMIS: Correct, Your Honor. The  
6 text supports us, but, also, this Court's  
7 inferences applying a mens rea to each  
8 substantive element supports us. Also, the  
9 purpose of FOPA in inserting "knowingly" in the  
10 first place, in order to ensure gun owners are  
11 not caught up in a broad net for honest or  
12 innocent mistakes.

13 JUSTICE KAVANAUGH: I thought your  
14 argument did depend on the text of the statute,  
15 but you were saying in the alternative, even if  
16 there were no mens rea element, our cases  
17 require us to still require mens rea.

18 MS. CAKMIS: Our argument is --

19 JUSTICE KAVANAUGH: Right?

20 MS. CAKMIS: -- supported by the  
21 statute's text and structure, and we would  
22 respectfully submit the text and structure are  
23 plain, and so we don't need to go to the  
24 presumptions or legislative history.

25 But, in the event that the Court feels

1 it's not plain, the next step is to look at the  
2 presumptions. And this Court's presumptions,  
3 even if "knowingly" is not there, is -- this  
4 Court presumes "knowingly" is read in.

5 JUSTICE SOTOMAYOR: Would this be --

6 JUSTICE GINSBURG: I have a --

7 JUSTICE SOTOMAYOR: -- different --

8 JUSTICE GINSBURG: -- question about  
9 the consequences of -- of your position, and  
10 the constitutional -- answer the -- to the  
11 constitutional question shouldn't turn on it,  
12 but, as a practical matter, I think I'm right  
13 that most of these possession cases are  
14 felon-in-possession cases.

15 MS. CAKMIS: Yes, Your Honor.

16 JUSTICE GINSBURG: And if that's right  
17 and you prevail, then how many people who have  
18 been convicted under felon-in-possession  
19 charges could now say, well, the Supreme Court  
20 has said what has happened to me, I can't be  
21 convicted of a crime I was convicted of, so I  
22 want -- I want to get out. I want habeas.

23 If we say that the -- read the  
24 requirement to go to the status, as well as the  
25 conduct, the possession, then wouldn't people

1 who have been convicted have a habeas avenue to  
2 pursue?

3 MS. CAKMIS: There would be a habeas  
4 avenue to pursue, Your Honor. However, habeas  
5 is not nearly as simple to navigate as a  
6 criminal proceeding. And once you reach the  
7 land of habeas, you have cause and prejudice  
8 that have to be shown for procedural default.

9 It's even harsher than harmless error  
10 when you get into the habeas world. And so the  
11 number of people who might want to ask for  
12 relief might be more, but there is only a small  
13 but significant number of people out there who  
14 actually had a genuine dispute --

15 CHIEF JUSTICE ROBERTS: Well --

16 MS. CAKMIS: -- about their knowledge  
17 of their status.

18 CHIEF JUSTICE ROBERTS: Well, I  
19 suppose it would get to whether or not a jury  
20 was instructed on the element of the offense  
21 that had to be -- that it had to be knowing.  
22 So it may be broader than -- than that.

23 And, in my experience,  
24 felon-in-possession is almost always what  
25 people are charged with in -- at this level

1 because it's the easiest thing to prove. You  
2 can prove whether they're a felon or not and  
3 you can prove whether they had a gun. You  
4 don't have to get into all the messy stuff  
5 about what they were up to.

6 So I would think it would be a very,  
7 very substantial number of convictions.

8 MS. CAKMIS: But then there's the  
9 practical and the legal answer. The practical  
10 answer, in all honesty, is that not that many  
11 people are going to be able to overcome all the  
12 huge procedural hurdles that are placed in  
13 front of habeas relief.

14 And unless they had a genuine issue of  
15 fact or a genuine issue regarding their  
16 knowledge of their status, the chances of  
17 prevailing in habeas are slim to no, if that  
18 helps.

19 JUSTICE GORSUCH: What percentage of  
20 those guilty verdicts are by way of plea versus  
21 trial?

22 MS. CAKMIS: There -- for a Section  
23 922(g), approximately 95 percent are guilty  
24 pleas. And there's no reason to believe that  
25 that's going to change significantly one way or

1 another.

2 JUSTICE SOTOMAYOR: Could -- could you  
3 tell me exactly what do you think the -- what  
4 are the facts he would need to know to be  
5 guilty? Because you can't have a mistake of  
6 law.

7 MS. CAKMIS: Correct.

8 JUSTICE SOTOMAYOR: And you can't --  
9 and you can't be ignorant of the law. So what  
10 are the facts the government would have to  
11 prove? That he knew his visa was conditioned  
12 --

13 MS. CAKMIS: Yes.

14 JUSTICE SOTOMAYOR: -- on -- on his  
15 being a student?

16 MS. CAKMIS: Yes, Your Honor, that he  
17 knew he was admitted into this country lawfully  
18 on a student non-immigrant visa, that the visa  
19 had specific requirements, and that he failed  
20 to comply with or violated those requirements.

21 JUSTICE SOTOMAYOR: All right. Does  
22 he need to know that -- I thought I read  
23 somewhere that he thought an immigration  
24 officer or judge had to revoke his visa. Did I  
25 read that wrong? Did I --

1 MS. CAKMIS: No, Your Honor. In the  
2 trial court, that was another defense that was  
3 posited, that he wasn't lawfully and illegally  
4 in the country until an immigration judge had  
5 adjudged him to be so. But that's not the  
6 issue now before the Court.

7 It's the second aspect that the  
8 government --

9 JUSTICE SOTOMAYOR: So your -- the  
10 condition is that he knew he came in on a -- on  
11 a student visa that said he had to remain a  
12 student?

13 MS. CAKMIS: Yes, ma'am, Your Honor.

14 JUSTICE SOTOMAYOR: And if they show  
15 that he was told that at the time of admission  
16 and he stopped being a student, that's enough?

17 MS. CAKMIS: Yes, Your Honor.

18 JUSTICE SOTOMAYOR: So how do we not  
19 go to harmless error here? I mean, at some  
20 point --

21 MS. CAKMIS: I'm sorry?

22 JUSTICE SOTOMAYOR: -- he knows he  
23 stopped going to school.

24 MS. CAKMIS: I -- I apologize. I  
25 didn't hear.



1 JUSTICE SOTOMAYOR: How -- how don't  
2 we have harmless error here? At some point, he  
3 knows he stopped going to school.

4 MS. CAKMIS: We only have --

5 JUSTICE SOTOMAYOR: He knows that he  
6 came in on a student visa because that's the  
7 only kind of visa he had.

8 So what's his -- why isn't this  
9 harmless error, even if we reach this issue in  
10 your favor?

11 MS. CAKMIS: In our situation, we only  
12 have one side of the story because, before  
13 trial, the government moved in limine to keep  
14 out the defense, and the court agreed with the  
15 government on the jury instruction that the  
16 jury was specifically instructed the government  
17 does not have to prove Mr. Rehaif knew his  
18 status.

19 JUSTICE SOTOMAYOR: That doesn't  
20 answer my question. What could be -- otherwise  
21 be his defense?

22 MS. CAKMIS: That he was unaware that  
23 he had been academically dismissed and was now  
24 out of school.

25 JUSTICE SOTOMAYOR: That he didn't

1 know he had been -- I mean -- I mean, every  
2 student knows whether he goes to school or not.

3 MS. CAKMIS: There is an opportunity  
4 for reasonable mistake here, Your Honor, just  
5 like with the other categories.

6 JUSTICE GINSBURG: Even though he was  
7 -- he was out on a -- a firing range, and he  
8 should have been at school if he hadn't been  
9 dismissed?

10 (Laughter.)

11 MS. CAKMIS: He also had a hunting  
12 license, for example, that the defense wanted  
13 to introduce into evidence. And that's --

14 CHIEF JUSTICE ROBERTS: He was taking  
15 a course on firearms.

16 MS. CAKMIS: He could have been.

17 CHIEF JUSTICE ROBERTS: But, I mean,  
18 does the evidence suggest that there was a lot  
19 of confusion about his status as a student?

20 MS. CAKMIS: The government's evidence  
21 is all that we have because the defense didn't  
22 introduce it. But, if the defense had been  
23 allowed to introduce the hunting license, there  
24 -- the court said there would be confusion  
25 because he didn't have to have knowledge.

1           But a hunting license was relevant  
2 because, if he thought he was a student still,  
3 if you're on an F1 visa, you're allowed to  
4 possess a firearm anywhere at any time if you  
5 have a hunting license.

6           So the fact that he went out and got  
7 one and then went to the firing range and shot  
8 the firearms indicated -- would have indicated  
9 or supported his defense.

10           Additionally, he was stopped for a  
11 traffic infraction, and no one told him at that  
12 point that he had a warrant out for him or that  
13 he was illegally here, which the court kept  
14 that out of evidence because it would have  
15 caused confusion as to knowledge and as to  
16 status.

17           But, again, it would have been  
18 relevant to his knowledge if that was allowed  
19 to be a defense.

20           JUSTICE ALITO: Suppose someone who is  
21 admitted on a student visa doesn't go to  
22 school, has every reason to know, understands  
23 that he has to continue in school if -- for his  
24 visa to be valid, and he has every reason to  
25 know that he's not any longer considered to be

1 a student by the school, hasn't been there for  
2 months and months and months, hasn't done one  
3 single thing, but doesn't actually know for  
4 sure that they have expelled him.

5 Your position is that that person  
6 would not fall within the statute?

7 MS. CAKMIS: Our position is that that  
8 would be a jury question.

9 JUSTICE ALITO: No. The question is  
10 what in the end -- in -- in his heart of -- in  
11 his mind, he does not know that he is not a  
12 student, but he has every reason to know that  
13 he is no longer a student.

14 MS. CAKMIS: Again, with respect, if  
15 someone has every reason to know, it can be  
16 inferred that the person does know.

17 Intent and knowledge are --

18 JUSTICE ALITO: All right. What if  
19 the jury or the judge, whoever is the  
20 fact-finder, comes to the conclusion he didn't  
21 really know, but he had every reason to know?  
22 Is that person guilty or not guilty?

23 MS. CAKMIS: If the fact-finder finds  
24 that he truly did not know, then he would not  
25 be guilty, Your Honor.

1 JUSTICE ALITO: And do you -- do you  
2 think that's really what Congress meant here?

3 MS. CAKMIS: Yes, Your Honor, but I  
4 don't think that will happen in that type of a  
5 situation. I think that -- take, for example,  
6 the dreamers, children who come into this  
7 country with their parents illegally, live here  
8 all their lives and think they're law-abiding  
9 citizens, only to find out later in adulthood  
10 that they never were law-abiding citizens.  
11 They're not citizens at all.

12 But, if that person who had no idea he  
13 was here illegally or unlawfully possessed a  
14 gun, he would be subject to 10 years in prison  
15 under the way the case -- the law has been  
16 interpreted by the court below.

17 We're asking the Court to apply its  
18 mens rea presumptions, as the Court has done in  
19 the past, in every case when confronted by  
20 them, and to look at the -- and to apply mens  
21 rea to the knowledge -- to the status element.  
22 That way, at least --

23 JUSTICE SOTOMAYOR: It does seem  
24 fairly easy for the government to prove status  
25 like you're a felon-in-possession because

1 there's a whole series of ways you should know  
2 you're a felon, a transcript of you pleading  
3 guilty could be one of them, or a judgment of  
4 conviction, you have to be there to get that.

5 MS. CAKMIS: Exactly.

6 JUSTICE SOTOMAYOR: But how about  
7 922(g)(3), who says, where the status element  
8 is being addicted to a controlled substance,  
9 why would Congress want to punish someone who  
10 is aware of being addicted because they sought  
11 help but not when someone -- but not someone  
12 who is in denial, meaning my parents, yeah, put  
13 me in a program, but they put me in against my  
14 will.

15 MS. CAKMIS: And if the person knew  
16 the facts underlying the legal definition of  
17 "addicted," they knew that they were dependent  
18 on those drugs, they knew that when they  
19 weren't taking them, they started having  
20 withdrawals or whatever the legal definition,  
21 the facts --

22 JUSTICE SOTOMAYOR: But how would the  
23 government be able to prove that? Meaning --

24 MS. CAKMIS: In the bulk of the cases,  
25 practically speaking, it's going to be proved

1 by the same evidence that the government uses  
2 to show the person was addicted.

3 And in -- as in all the other statutes  
4 that require knowledge, the jury will have to  
5 infer knowledge through reasonable inferences  
6 or find that those reasonable inferences don't  
7 support the knowledge.

8 JUSTICE ALITO: What about  
9 subparagraph 8, which applies to a very -- to  
10 -- to a set of individuals who are defined in a  
11 very complicated way? So there has to be a  
12 restraining order that includes a finding that  
13 the person represents a credible threat to the  
14 physical safety of an intimate partner or a  
15 child, and then the order by its terms must  
16 explicitly prohibit the use, attempted use, or  
17 threatened use of physical force against such  
18 intimate partner or child that would reasonably  
19 be expected to cause bodily injury.

20 So it has to be proven that the  
21 defendant knew all of those things?

22 MS. CAKMIS: The defendant knew the  
23 fact that he had been to court or he had been  
24 given notice of court because of a restraining  
25 order that was related to his violent conduct.

1           JUSTICE ALITO:  And he -- but he has  
2   to know all the -- all those characteristics of  
3   the restraining order?

4           MS. CAKMIS:  Yes, Your Honor, which  
5   would be demonstrated by the restraining order  
6   that he received a copy of in the bulk of the  
7   cases.  That hasn't been prosecuted nearly as  
8   much as, of course, the felon-in-possession,  
9   but the felon-in-possession is illustrative  
10  because it shows, if you have a judgment, for  
11  the most part, you're going to know why this  
12  judgment came about that you were facing 10  
13  years in prison or 50 years in prison.  It's --

14          JUSTICE ALITO:  If someone is charged  
15  with being a felon-in-possession, and it -- the  
16  prosecution has to prove that the person knew  
17  that this offense was a felony, can the  
18  prosecution be prohibited from -- can the  
19  defendant, by offering to stipulate, prohibit  
20  the prosecution from proving the nature of the  
21  felony?

22                 Because, if all the jury knows is that  
23  there was a conviction for a felony, then, you  
24  know, the jury doesn't know how serious this  
25  crime was.  The more serious it is, the more



1 likely it is the person was aware of it.

2 Normally, you can't force a party to  
3 agree to stipulate a fact that the party is  
4 entitled to prove.

5 MS. CAKMIS: Which would make Old  
6 Chief an even stronger tool in the prosecutor's  
7 hands because the prosecutor would not have to  
8 stipulate if the defendant is challenging his  
9 knowledge of status. He cannot force the  
10 prosecutor to stipulate because it would then  
11 become probative. The nature of the offense  
12 would be probative to a fact, and the probative  
13 value would outweigh the prejudice.

14 JUSTICE ALITO: Well, if that's true,  
15 then you -- you are perhaps not going to win a  
16 great victory for people charged with being a  
17 felon-in-possession. So then the prosecution  
18 can prove -- even if there's an offer to  
19 stipulate, can prove, well, this person was  
20 previously convicted of rape and bank robbery  
21 and -- and assault.

22 MS. CAKMIS: If --

23 JUSTICE ALITO: That's true?

24 MS. CAKMIS: If the defendant is  
25 challenging his knowledge that it was a

1 felony -- if he's just challenging his  
2 knowledge that he ever was convicted, that  
3 might be different.

4 But, if he's challenging his knowledge  
5 that he knew this was a felony or that he knew  
6 it was a serious offense punishable by more  
7 than one year, and he claims, I didn't know  
8 that, then he's made that probative, the type  
9 of offense, the nature of it, and the name.

10 And we believe -- if the Court has no  
11 further questions, I would like to reserve the  
12 rest of the time.

13 CHIEF JUSTICE ROBERTS: Thank you,  
14 counsel.

15 MS. CAKMIS: Thank you.

16 CHIEF JUSTICE ROBERTS: Mr. Kedem.

17 ORAL ARGUMENT OF ALLON KEDEM  
18 ON BEHALF OF THE RESPONDENT

19 MR. KEDEM: Mr. Chief Justice, and may  
20 it please the Court:

21 The Firearm Owners' Protection Act  
22 does not take the unusual step of requiring  
23 proof that the defendant had subjective  
24 awareness of his own legal status, nor does it  
25 create a safe harbor for aliens or felons who

1 remain ignorant, even recklessly ignorant, of  
2 their own circumstances.

3           Instead, FOIPA reflects the  
4 long-standing nationwide consensus that a  
5 defendant knowingly violates the statute if he,  
6 despite his prohibited status, knowingly  
7 possesses a gun.

8           I think it's --

9           JUSTICE SOTOMAYOR: What do you do  
10 with that dreamer?

11          MR. KEDEM: Pardon?

12          JUSTICE SOTOMAYOR: What do you do  
13 with that dreamer -- with that dreamer example  
14 or a student who got a visa from a certified  
15 institution and all of a sudden, unbeknownst to  
16 him or her, the school is decertified? And so  
17 they're no longer in status.

18           What -- I -- I agree with you, in the  
19 vast majority of cases, the status is pretty  
20 self-evident, but -- or lack thereof is  
21 self-evident. But do you think Congress  
22 intended to include those innocent people as  
23 well?

24          MR. KEDEM: So I --

25          JUSTICE SOTOMAYOR: Innocent of

1 knowing their illegality.

2 MR. KEDEM: Sure. I acknowledge that  
3 application of the government's test in certain  
4 hypothetical examples that we could come up  
5 with would produce harsh results. And perhaps  
6 you're not comforted by the fact that this  
7 provision is applied many thousands of times  
8 every year, and no one has been able to  
9 identify an example like the type you've raised  
10 or anything close to it.

11 JUSTICE SOTOMAYOR: Well, I guess my  
12 question becomes, what do we do with the  
13 Staples presumption?

14 MR. KEDEM: Sure.

15 JUSTICE SOTOMAYOR: That you -- we're  
16 not going -- we're going to not read in a or  
17 read out a mental element for the conduct or  
18 the part of an element that makes you guilty of  
19 something that's otherwise not guilty.  
20 Possessing a gun is not in and of itself a  
21 blameworthy conduct.

22 MR. KEDEM: That's correct.

23 JUSTICE SOTOMAYOR: And the only  
24 blameworthy conduct is if you're an illegal  
25 alien.

1           MR. KEDEM: That's correct, but our  
2           argument here is not that possessing a gun is  
3           blameworthy or inherently dangerous and,  
4           therefore, you're charged with knowing the law.  
5           Our argument is that there are certain people  
6           who, by virtue of their circumstances and  
7           status, are charged with knowing or at least  
8           being on notice of whether they have a certain  
9           status.

10           So someone who is an alien has a --  
11           has an obligation, if they're here in the  
12           United States, to know whether they're here  
13           lawfully or unlawfully.

14           JUSTICE KAVANAUGH: But what if  
15           they're mistaken? So it's a mistake of fact.  
16           Mistake of fact has always been recognized as a  
17           defense, or, put conversely, knowledge has  
18           always been required -- going back to Justice  
19           Jackson in *Morissette* and all through the  
20           cases, as required for all the elements of the  
21           offense.

22           MR. KEDEM: The court of appeals  
23           acknowledged that --

24           JUSTICE KAVANAUGH: So what if there's  
25           a -- what if there's a mistake of fact?

1                   MR. KEDEM:   Sure.  The court of  
2                   appeals recognized that, in a case of a genuine  
3                   mistake of fact, it might be willing to  
4                   acknowledge that.

5                   JUSTICE KAVANAUGH:  Well --

6                   MR. KEDEM:  But that would not be --

7                   JUSTICE GORSUCH:  Well, once -- but  
8                   then the camel's nose is under the tent, isn't  
9                   it, counsel?  Intent matters except for when it  
10                  doesn't?  Knowledge matters except for when it  
11                  doesn't?

12                  MR. KEDEM:  No, Your Honor, mistake of  
13                  fact is an affirmative defense that has to be  
14                  raised --

15                  JUSTICE GORSUCH:  No, I'm -- I'm --

16                  MR. KEDEM:  -- and proven beyond a  
17                  preponderance of the evidence.

18                  JUSTICE GORSUCH:  Oh, okay, so you're  
19                  just saying there's an affirmative defense.

20                  MR. KEDEM:  There -- there -- there  
21                  might --

22                  JUSTICE GORSUCH:  So we're just going  
23                  to recreate this as an affirmative defense  
24                  throughout?  So -- so what's the -- what's the  
25                  delta between the defendant's position and the

1 government's position then?

2 MR. KEDEM: It's whether it has to be  
3 proven in every single trial, just as --

4 JUSTICE GORSUCH: Well, let -- let me  
5 -- let me ask you, just to -- just to follow up  
6 on Rob -- since Robert Jackson's name's been  
7 invoked here, Morissette, "the contention that  
8 an injury can amount to a crime only when  
9 inflicted by intention is no provincial or  
10 transient notion. It is as universal and  
11 persistent in mature systems of law as belief  
12 in freedom of the human will and a consequent  
13 ability and duty of the normal individual to  
14 choose between good and evil."

15 What do we do with that? And this --  
16 this Court's presumption that some mens rea is  
17 necessary --

18 MR. KEDEM: And it is.

19 JUSTICE GORSUCH: -- and here we're  
20 talking about the only thing that separates not  
21 just innocent conduct but constitutionally  
22 protected conduct potentially is --

23 MR. KEDEM: So that is --

24 JUSTICE GORSUCH: -- is knowledge of  
25 the status, knowledge that I am a felon. I --

1 as you well know, I had a case where the fellow  
2 was told by the judge that he was not a felon  
3 when he was convicted. And yet he was put in  
4 jail for 10 years afterwards because the  
5 government didn't have to prove that he knew  
6 his status.

7 What do we do about Justice Jackson's  
8 admonition to us?

9 MR. KEDEM: His admonition was about  
10 creating strict liability offenses, which this  
11 is not. If you start with the presumption that  
12 the defendant is going to possess the gun --

13 JUSTICE GORSUCH: No, it wasn't just  
14 about that. It was about mens rea.

15 MR. KEDEM: So --

16 JUSTICE GORSUCH: And -- and we've got  
17 X-Citement Video as well. So if, you know --

18 MR. KEDEM: So all of those cases are  
19 ones in which there was a list of elements,  
20 usually followed by some state -- some word  
21 like "knowingly," and the presumption is that  
22 it applies to all of the other elements.

23 We don't have that here. We have a  
24 separate provision, 920 --

25 JUSTICE GORSUCH: Well, with respect,



1 we've got maybe even worse here. "Knowingly"  
2 precedes certain elements.

3 MR. KEDEM: It precedes --

4 JUSTICE GORSUCH: And this is the very  
5 first element that follows after the word  
6 "knowingly violates." This is the very first  
7 element.

8 MR. KEDEM: So, Your Honor --

9 JUSTICE GORSUCH: Substantive element.

10 MR. KEDEM: -- it -- it is not. There  
11 is a sub --

12 JUSTICE GORSUCH: And the other  
13 element -- if I can just finish my question.  
14 You can tell me I'm wrong for -- for as long as  
15 you want.

16 But the -- the next -- the element --  
17 the elements that follow, you -- you would  
18 admit that "knowingly" applies to, but just not  
19 this one. How does -- how does that work? I'm  
20 -- it's a --

21 MR. KEDEM: Sure.

22 JUSTICE GORSUCH: -- it's a bit of a  
23 grammatical gravity I'm not familiar with.

24 MR. KEDEM: So the phrase "knowingly  
25 violates" in 924(a)(2) we interpret to mean

1 knowledge of conduct, the same way that this  
2 Court did in the International Minerals and  
3 Chemical Corporation case. At issue there was  
4 a statute that applied to someone who knowingly  
5 violates any such regulation.

6 What this Court said is that requires  
7 knowledge of the "specific acts or omissions"  
8 that underlie the separate regulatory offense.  
9 "Specific acts or omissions" is a direct quote.

10 And this Court relied on the same  
11 understanding more recently in the Bryan case,  
12 which construed a different subsection of  
13 924(a).

14 JUSTICE KAVANAUGH: How -- how is the  
15 defendant blameworthy if he or she truly  
16 thought -- truly thought that the status was  
17 lawful and then possesses the gun? Just focus  
18 on that question. How is that person  
19 blameworthy?

20 MR. KEDEM: So I'm not sure that they  
21 are, but I think the more --

22 JUSTICE KAVANAUGH: Well, then okay.  
23 Let me stop you there. Then why should that  
24 person be subject to 10 years in prison?

25 MR. KEDEM: Because the more relevant

1 question is whether the Congress that enacted  
2 FOIPA in 1986 had any reason, given its 50-year  
3 history with the federal firearm laws, to think  
4 that cases of that type would be a problem.

5 Congress normally legislates --

6 JUSTICE KAVANAUGH: But suppose --  
7 suppose -- and I think you're right in the  
8 sense that 99 percent of the time or 90 percent  
9 of the time this is going to be so easy to  
10 prove, but there are going to be those cases,  
11 the delta of cases where the defendant truly  
12 was mistaken about his or her status, and you  
13 just said is not blameworthy in that  
14 circumstance, I think I have that right, and  
15 yet you would put that person in prison for up  
16 to 10 years.

17 MR. KEDEM: In the vast majority of  
18 those cases -- first of all, almost all of  
19 these cases --

20 JUSTICE KAVANAUGH: Well, what was  
21 wrong about my summary of your position?

22 MR. KEDEM: Sure. In -- in the vast  
23 majority of cases, the type of mistake that the  
24 defendant will have made will be a mistake of  
25 law. They will have misunderstood --

1 JUSTICE KAVANAUGH: Possibly -- I'm  
2 sorry to interrupt -- possibly true. And in  
3 those cases, you won't have a problem. But  
4 there are going to be some that are mistake of  
5 fact, and yet -- and you've said the person's  
6 not blameworthy.

7 MR. KEDEM: So it is notoriously  
8 difficult to figure out what is a mistake of  
9 law versus fact. And let me give you an  
10 example.

11 Petitioner says he was mistaken about  
12 whether, if he had a hunting license, that  
13 allowed him to possess a gun. It doesn't.  
14 There is no legal right to possess a gun for an  
15 alien unlawfully in the country just because  
16 you have a hunting license.

17 But, of course, that is the type of  
18 mistake the defendants are liable to raise.  
19 And given that 10,000 out of the 11,000  
20 prosecutions last year for 922(g) for -- were  
21 for being a felon-in-possession, you're going  
22 to risk fundamentally changing the entire --

23 JUSTICE GORSUCH: Really?

24 JUSTICE BREYER: So what?

25 JUSTICE GORSUCH: Ninety-five percent

1 are -- I -- I'm sorry, please go ahead.

2 JUSTICE BREYER: Why is everybody  
3 assuming there has to be a mistake of fact? I  
4 mean, law sometimes can be a fact.

5 I mean, a person overstays his visa.

6 MR. KEDEM: Right. So --

7 JUSTICE BREYER: He doesn't know he's  
8 overstayed it. He isn't quite sure what the  
9 law is.

10 There's a law that says it is a -- it  
11 is a serious crime, 20 years in prison, to stay  
12 in a federal building illegally after there's a  
13 rule which says you have to leave. Nobody  
14 knows about it. In fact, I just made it up, so  
15 I doubt that --

16 (Laughter.)

17 JUSTICE BREYER: But -- but -- but,  
18 look, there could be many situations where you  
19 just don't expect that person to -- to -- to  
20 know not necessarily the law that forbids the  
21 thing, but where the thing itself is composed,  
22 in part, of a law, many cases where they don't  
23 know what it is.

24 MR. KEDEM: Sure.

25 JUSTICE BREYER: So where in the

1 Supreme Court has this ever said, even in such  
2 a case, always, under all circumstances, right  
3 to jail?

4 MR. KEDEM: So I agree with you  
5 morally speaking that someone who makes a  
6 mistake of law --

7 JUSTICE BREYER: If you agree with me  
8 morally speaking --

9 MR. KEDEM: But -- but --

10 JUSTICE BREYER: -- I have a naive  
11 view that criminal law by and large should  
12 charge -- should follow morals. And if it  
13 doesn't, maybe we should look pretty hard.

14 MR. KEDEM: Or require --

15 JUSTICE BREYER: I think that's what  
16 Justice Black -- Justice Jackson.

17 JUSTICE GORSUCH: Jackson.

18 JUSTICE BREYER: So if you agree with  
19 that too. So go ahead. Where does it -- go  
20 ahead.

21 MR. KEDEM: Knowledge that you have to  
22 be violating the law is a willfulness  
23 requirement. Congress made explicit that it  
24 was distinguishing between types of offenses  
25 for which willfulness was required, the

1 relatively minor offenses, things like  
2 recordkeeping violations, and it was leaving in  
3 place the normal knowledge requirement --

4 JUSTICE BREYER: That isn't -- you've  
5 missed the question then. I agree with you  
6 that it is a willfulness requirement where we  
7 are looking at the statute that makes the thing  
8 unlawful. All right? So don't look at that.  
9 I agree with that.

10 But now let's look at that which it  
11 makes unlawful. Now, when we --

12 MR. KEDEM: Sure.

13 JUSTICE BREYER: -- look at that which  
14 it makes unlawful, sometimes the that which it  
15 makes unlawful could, in part, be composed of  
16 rules or laws.

17 MR. KEDEM: Sure.

18 JUSTICE BREYER: And it's that part  
19 that I am uncertain -- though you may know --

20 MR. KEDEM: Right.

21 JUSTICE BREYER: -- you know, that --  
22 that this Court has always said you have to  
23 know the legal status there.

24 MR. KEDEM: Sure. So I think --

25 JUSTICE BREYER: Is it -- does it --

1 has it said that? Have we said that?

2 MR. KEDEM: So I think that this Court  
3 has consistently said that, unless a  
4 willfulness requirement is imposed, you do not,  
5 in fact, have to show that the defendant had  
6 any awareness that they were violating any law,  
7 much less the specific law. But -- but --

8 JUSTICE BREYER: Even including the --  
9 the instance where you have a criminal statute  
10 that has within it a -- a -- a thing?

11 MR. KEDEM: Sure.

12 JUSTICE BREYER: And the thing is in  
13 part composed of laws. Suppose they're  
14 Armenian laws. Suppose they're -- suppose  
15 they're so technical.

16 MR. KEDEM: So -- so maybe I could  
17 step back and answer your question this way:  
18 Even assuming that Congress thought there was  
19 some mens rea necessary with respect to status,  
20 would Congress have chosen knowingly? And I  
21 think we know the answer is no, because we have  
22 subsection (d), the firearm dealer provision,  
23 which applies where the defendant knows or has  
24 reasonable cause to believe that the person  
25 who's purchasing the gun has a prohibited



1 status.

2 So why would Congress presume that the  
3 firearm dealer has more information about the  
4 person purchasing the gun than the person who  
5 purchases the gun has about themselves?

6 JUSTICE ALITO: Well, that's a --  
7 that's a very good point. And unless -- so  
8 unless the text tells us definitively what the  
9 mens rea element is for every element of a  
10 criminal statute, and is there anything to  
11 prevent us from inferring that the mental  
12 element required for a -- for -- one -- one  
13 element is different from the mental element  
14 required for another element?

15 MR. KEDEM: No. Presumably,  
16 924(a)(2), the knowingly violates, has to work  
17 the same way for all subsections, not just (g)  
18 but (d) as well.

19 Except Petitioners have a problem,  
20 which is that you cannot knowingly violate a  
21 requirement --

22 JUSTICE SOTOMAYOR: Wait a minute.

23 MR. KEDEM: -- to reasonably believe  
24 something.

25 JUSTICE SOTOMAYOR: Congress --

1 Congress can legislate exceptions to every  
2 general rule.

3 If the baseline is knowing for every  
4 element and, all of a sudden, Congress has  
5 another definition that changes it, which it  
6 does in -- in the dealer definition --

7 MR. KEDEM: So it --

8 JUSTICE SOTOMAYOR: -- the specific  
9 governs the general.

10 MR. KEDEM: So it's -- it's not clear  
11 how you get there textually, but it also  
12 doesn't explain why, for instance, in  
13 subsection (h) or (a)(6) Congress has specified  
14 a knowledge requirement there.

15 In (h), for instance, you have to know  
16 that your employer has a prohibited status. So  
17 why would Congress specify knowledge there if  
18 you were already going to import a knowingly  
19 requirement into every provision?

20 JUSTICE BREYER: I don't -- I don't  
21 think I agree with you on the fact it has to be  
22 read the same way in all. I mean, I've written  
23 opinions where you have long lists of things,  
24 and this one's like that and this is like that  
25 and the other thing is like that, and we know

1 for a fact that you don't have to prove  
2 knowingly where you're talking about a  
3 jurisdictional hook.

4 And so you could have some of these A,  
5 B, C, D, E that have jurisdictional hooks and  
6 others that don't --

7 MR. KEDEM: So let me --

8 JUSTICE BREYER: -- and we wouldn't  
9 apply knowingly to the hook and we would apply  
10 it to other things and so forth.

11 MR. KEDEM: So let me speak then  
12 directly to the idea of knowledge of status,  
13 because, to a certain extent, mens rea is  
14 really about what facts a defendant is presumed  
15 to know or at least be on notice of versus the  
16 type that should be proven to a jury beyond a  
17 reasonable doubt.

18 And there's a reason that we don't  
19 require in a case of statutory rape the  
20 government to prove that the defendant knew the  
21 victim was under the age of consent, because,  
22 even if he didn't know, he was on notice. It  
23 was incumbent upon him to find out.

24 And by the same token, if you're an  
25 alien in the United States, it is incumbent

1 upon you to know whether you are here lawfully  
2 or unlawfully.

3 JUSTICE GORSUCH: Well, you'd agree,  
4 first of all, I think, that the immigration  
5 laws are kind of complex.

6 MR. KEDEM: They are.

7 JUSTICE GORSUCH: All right. And  
8 people can make mistakes.

9 MR. KEDEM: Absolutely.

10 JUSTICE GORSUCH: No doubt. Like the  
11 dreamers we've talked about --

12 MR. KEDEM: Yeah.

13 JUSTICE GORSUCH: -- for example, DACA  
14 recipients, whatever.

15 You'd also, I think, agree in (d) that  
16 there's language before you get to the new mens  
17 rea, before the reasonable cause, that -- that  
18 the "knowingly" from 924 could attach to.

19 MR. KEDEM: There is.

20 JUSTICE GORSUCH: Okay. All right.

21 So why -- why shouldn't "knowingly"  
22 attach to the first substantive element that it  
23 comes across in (g)?

24 MR. KEDEM: Because it's contained in  
25 a separate provision, which means that you

1 don't have the same distributive language  
2 presumption that you would have if it were  
3 "knowingly" followed --

4 JUSTICE GORSUCH: Not distribute, but  
5 the very first substantive element.

6 MR. KEDEM: So I don't think anything  
7 about Petitioner's argument would change if it  
8 said anyone possessing a gun that traveled in  
9 interstate commerce who is an alien unlawfully  
10 in the United States, I don't think the order  
11 matters for that argument.

12 JUSTICE GORSUCH: But it matters to  
13 you because you admit it attaches to the second  
14 substantive element.

15 MR. KEDEM: Because it's conduct, not  
16 because it's the second one.

17 JUSTICE GORSUCH: Well, the status is  
18 a product of conduct, isn't it?

19 MR. KEDEM: I don't --

20 JUSTICE GORSUCH: One is an illegal  
21 alien because of one's conduct. One is a felon  
22 because of one's conduct. These are not  
23 immutable characteristics.

24 MR. KEDEM: That is true. But I don't  
25 think it means that having been convicted of a

1 crime punishable by more than one year  
2 necessarily means that being punishable by more  
3 than one year is your status, something of  
4 which naturally you would normally be -- be  
5 aware.

6 JUSTICE GORSUCH: You'd agree that,  
7 you know, most of these cases you're going to  
8 be able to resolve by plea agreement?

9 MR. KEDEM: I think that's right.

10 JUSTICE KAVANAUGH: You made a point  
11 about Congress and statutes use different kinds  
12 of mens rea in different sections.

13 MR. KEDEM: Sure.

14 JUSTICE KAVANAUGH: That's the whole  
15 point, right? Congress is all over the place  
16 in terms of mens rea.

17 MR. KEDEM: That's right.

18 JUSTICE KAVANAUGH: Old statutes, new  
19 statutes. And that's why this Court, for a  
20 long time, has started with a presumption of  
21 mens rea for every element of the offense.

22 Congress could override that, but the  
23 presumption exists for all the elements.  
24 Whether Congress put in a -- a mens rea for one  
25 element and there are three others, or whether

1 Congress put in no mens rea at all, we apply  
2 the mens rea.

3 Is that a correct statement of the  
4 law?

5 MR. KEDEM: That is. And let me give  
6 you another example, a textual clue that  
7 Congress didn't want to require knowledge of  
8 status here.

9 There are two instances, only two that  
10 we're aware of, where someone actually might  
11 not reasonably know or Congress might worry  
12 that they wouldn't reasonably know their own  
13 status, and Congress was explicit for both of  
14 them in its treatment.

15 The first one is subsection (g)(8),  
16 which applies to someone who's subject to a  
17 restraining order, which you might not know  
18 because some restraining orders are issued ex  
19 parte. And so Congress specified in (g)(8)  
20 that the restraining order has to have been  
21 issued "after a hearing of which such person  
22 received actual notice and at which such person  
23 had an opportunity to participate."

24 The other example is someone who's  
25 subject to an indictment. One court pointed

1 out that a lot of indictments are under seal,  
2 and so you wouldn't necessarily know that.

3 So Congress took the indictment  
4 language, put it into its own subsection,  
5 subsection (n), and imposed a willfulness  
6 requirement.

7 JUSTICE BREYER: Then a person who  
8 overstays his visa --

9 MR. KEDEM: So you have to know.

10 JUSTICE BREYER: -- a person who  
11 overstays his visa, just inadvertently, is --  
12 always knows that. A person who is brought to  
13 this country by two years old by his parents,  
14 and now he's 21 years old, and they've never  
15 told him anything about being brought here when  
16 he was two years old, he's lived in Austin,  
17 Texas. He knows that. Now do you see?

18 MR. KEDEM: I understand, but by the  
19 same --

20 JUSTICE BREYER: I can fairly easily  
21 think of many other examples --

22 MR. KEDEM: Sure.

23 JUSTICE BREYER: -- besides that  
24 indictment.

25 MR. KEDEM: And absolutely we can,



1 but, you know, Congress normally legislates  
2 with the haystack in mind, not the needle.

3 JUSTICE BREYER: But that's why,  
4 perhaps --

5 MR. KEDEM: Especially not --

6 JUSTICE BREYER: That's perhaps why  
7 courts tend to read into silent language mens  
8 rea requirements, such as: our statute -- I'm  
9 making up, but I -- I think it does illustrate  
10 the example.

11 Anyone who robs a veteran of a medal  
12 that is in categories X, Y, Z, and C, the  
13 greatest honors and the lesser honors and so  
14 forth, goes to jail for 15 years. I just  
15 thought of that because it seems to be  
16 incredible that a person who had no idea what  
17 category this medal was in would suddenly be  
18 charged with knowledge of that legal fact.

19 MR. KEDEM: Right.

20 JUSTICE BREYER: So it's not hard, I  
21 think, if you have more time --

22 MR. KEDEM: Right.

23 JUSTICE BREYER: -- to think of  
24 tremendous unfairness that can exist.

25 MR. KEDEM: We can come up with

1 hypotheticals, but, again, the question is  
2 whether Congress had any reason to redesign the  
3 way that firearm prosecutions had always worked  
4 in every court of appeals around the country  
5 out of concern for a category of cases that, if  
6 it exists at all --

7 JUSTICE GORSUCH: Counsel --

8 MR. KEDEM: -- is vanishingly small.

9 JUSTICE GORSUCH: -- counsel, you talk  
10 about this -- this prior history as if it were  
11 handed to us on tablets, but the -- the only  
12 prior history I'm aware of really is that  
13 Fourth Circuit opinion, Capps, and it -- it  
14 seems to rely on a very convoluted parsing of  
15 the legislative history of a predecessor  
16 statute.

17 That's what the holdings of the courts  
18 of appeals on your side all rest on at the end  
19 of the day, and that's a mode of interpretation  
20 that's not exactly preeminent today.

21 MR. KEDEM: That's correct.

22 JUSTICE GORSUCH: And even for those  
23 of us who do attend carefully to legislative  
24 history, it's the legislative history of a  
25 prior statute that's been superseded.

1           And I don't know many of us who think  
2           that is enough to overcome clear language of a  
3           present statute. So what do we do about that?

4           MR. KEDEM: We have made a textual  
5           argument that does not rely on the arguments  
6           that appear in those Fourth Circuit references.

7           JUSTICE GORSUCH: Fair enough, but you  
8           just told us that we should be careful about  
9           undoing the careful work of the courts of  
10          appeals for the last 50 years, but if it all  
11          hinges on a terrible mistake, that argument  
12          seems to me -- you may have other arguments,  
13          but that one doesn't seem to be a very good  
14          one.

15          MR. KEDEM: I'm sorry. I was making a  
16          different point. I'm sorry if I was unclear  
17          about it. My point was, in 1986, there had  
18          been a national consensus. Every court of  
19          appeals to consider the issue had held that  
20          there was no knowledge of status required.

21          Presumably, if Congress wanted to  
22          revolutionize the way that the -- one of the  
23          most frequently prosecuted federal crimes  
24          worked, it would have been a whole lot clearer.  
25          As it was, Congress did something in FOIPA that

1 every court of appeals interpreted as leaving  
2 in place the underlying rule.

3 If we could turn briefly to the  
4 practical consequences of this decision, the --

5 JUSTICE KAGAN: Mr. Kedem, before you  
6 do that, sorry, do you think that there's a  
7 difference between a jurisdictional element and  
8 a status element like this one?

9 MR. KEDEM: I think it's not a  
10 difference in kind. I think it goes to the  
11 point that Justice Alito was making, namely,  
12 that there are some things that we presume  
13 people either are aware of or are on notice of  
14 or it's just not the type of thing that  
15 Congress would want to have to prove to a jury.

16 And there are other things that  
17 Congress would assume that we would prove to a  
18 jury. We -- our argument is that legal status  
19 is the type of thing, especially the  
20 defendant's own legal status, that Congress  
21 would not have wanted to require.

22 And that becomes even clearer when you  
23 see that every time in 922 that Congress wants  
24 to require proof of some mental state with  
25 respect to the legal status, it is explicit

1 about it. We've mentioned subsections (d),  
2 subsections (h), (a)(6). We've talked about  
3 subsection (n). We talked about (g)(8). Those  
4 are all instances where Congress might have  
5 worried that someone wouldn't know, for  
6 instance, the status of the person you're  
7 selling the gun to.

8           And that's why Congress included an  
9 explicit mental state. It did not include the  
10 same in subsection (g).

11           JUSTICE ALITO: The inference -- the  
12 -- the rule about so-called jurisdictional  
13 elements seems to me must rest on an inference  
14 about congressional intent. And the argument  
15 against reaching a similar inference with  
16 respect to a defendant's status is that, in a  
17 case like this one, the -- the conduct in  
18 question would often not be criminal were it  
19 not for the person's status. And I think it's  
20 an overstatement to say that it's -- it's  
21 always lawful activity. That depends on the  
22 jurisdiction.

23           But, in any event, so can that -- can  
24 it be distinguished on that ground, or would we  
25 run into problems in the situation where the

1 conduct in question is subject to prosecution  
2 under state law and federal law, but what the  
3 jurisdictional element does is to make it much  
4 more serious, to impose a much more serious  
5 penalty?

6 MR. KEDEM: So I'm -- I'm not sure it  
7 can be distinguished on those grounds. I'm  
8 glad that you brought up state law, because  
9 we've been talking about federal law here, but  
10 nearly every state has its own possession law.  
11 And as far as we're aware, not a single one of  
12 them requires proof that the defendant had any  
13 mental state with respect to their status,  
14 which I think is relevant in two ways.

15 First of all, it shows that this is  
16 unlikely -- it is unlikely that states would  
17 have structured all of their laws this way if  
18 it invited abuse or routinely ensnared the  
19 innocent. But I think it also goes to, what is  
20 the general expectation of what someone is on  
21 notice of?

22 And I think it shows that if all  
23 states are making the same assumption, that a  
24 defendant is on notice of his own status, it's  
25 not unreasonable to think that Congress was

1 resting on the same assumption.

2           Going now to the practical problem,  
3 Justice Gorsuch, you are 100 percent correct  
4 that, in the vast majority of cases, people  
5 plead guilty. On the other hand, we're talking  
6 about -- about 10,000 felon-in-possession  
7 offenses. And what happens is, although it  
8 will be extraordinarily rare that a defendant,  
9 in fact, will not know that he is -- of his own  
10 status, it is something that will have to be  
11 proven at every trial, which means that the  
12 focus of the trial --

13           JUSTICE GINSBURG: Well, in practice  
14 -- practically, that won't be so because the  
15 last thing in the world that the defendant will  
16 want is for the jury to know that he committed  
17 some heinous crime.

18           MR. KEDEM: So that will often be the  
19 case. It won't always be the case. It's the  
20 easiest thing in the world for a defendant to  
21 say, I just didn't know, or even if I did know  
22 at one point that my crime was punishable by  
23 more than one year, I forgot.

24           Imagine a defendant who received a  
25 10-month sentence.

1 JUSTICE KAVANAUGH: But juries don't

2 --

3 MR. KEDEM: Despite --

4 JUSTICE KAVANAUGH: -- believe that.

5 MR. KEDEM: Sometimes they do;

6 sometimes they don't.

7 JUSTICE KAVANAUGH: Well, I mean, if  
8 you've got a ridiculous defense, it's not going  
9 to work.

10 MR. KEDEM: It's not ridiculous for a  
11 defendant who, let's say, five years after his  
12 prior offense, for which he received a 10-month  
13 sentence, to say, at the time of my later gun  
14 possession, it's just not something that I  
15 remembered because I only got 10 months, so I  
16 wasn't thinking about the potential penalty.

17 JUSTICE GORSUCH: All -- all right.  
18 So -- so we're dealing with two classes of  
19 cases then if I understand your argument. One  
20 is it's going to be easy to prove in the mine  
21 run of cases. It's not going to a big deal.  
22 But there is a small but significant number of  
23 cases where, gee, it's really going to be a  
24 colorable question and, therefore, a burden on  
25 the government.



1 MR. KEDEM: Our point --

2 JUSTICE GORSUCH: It seems to me a  
3 double-edged sword, isn't it?

4 MR. KEDEM: So -- so our argument is  
5 not that it's a burden on the government.  
6 Sometimes it will be, but usually it won't.  
7 And, in any event, we're not asking for your  
8 sympathy. Our point is that you risk shifting  
9 the focus of all felon-in-possession trials out  
10 of -- out of a concern for a category of cases  
11 that, if they exist, is extraordinarily small.

12 JUSTICE GORSUCH: That does seem like  
13 you're asking for our sympathy, with all  
14 respect.

15 JUSTICE KAVANAUGH: You are referring  
16 to burden too.

17 JUSTICE GORSUCH: Yeah.

18 JUSTICE KAVANAUGH: I mean, that's  
19 your argument.

20 JUSTICE GORSUCH: You say you want to  
21 turn to the practical consequences, the burden  
22 on the government.

23 MR. KEDEM: It's not --

24 JUSTICE GORSUCH: And then we  
25 dismissed most of them as not burdensome at

1 all. And now we're left with these.

2 MR. KEDEM: So, again, the problem is  
3 not the burden on the government. Imagine you  
4 are a juror at a felon-in-possession --

5 JUSTICE GORSUCH: What is the --

6 MR. KEDEM: -- trial.

7 JUSTICE GORSUCH: -- practical  
8 consequence argument then if it isn't the  
9 burden on the government?

10 MR. KEDEM: It's that it will be  
11 deeply confusing to the jury. So imagine you  
12 are a juror --

13 JUSTICE GORSUCH: So you are worried  
14 about --

15 JUSTICE BREYER: You are considering a  
16 person who didn't know he was brought here at  
17 the age of two. Okay? I -- and that's the  
18 case I'm imagining, because I imagine our  
19 criminal justice system is aimed at proving the  
20 guilt or innocence of each individual.

21 And it doesn't help to say there are a  
22 lot of other people who are guilty. This one  
23 didn't know he under -- overstayed his visa.

24 Now, what fairness --

25 MR. KEDEM: So --

1 JUSTICE BREYER: -- what purpose is it  
2 served to send that person to prison for ten  
3 years?

4 MR. KEDEM: Respectfully, Justice  
5 Breyer, if you reinterpret the mens rea for  
6 every 922(g) offense out of concern for that  
7 hypothetical category of people, that is worse  
8 than letting the tail wag the dog. That's  
9 letting the tail wag the dog where the dog is  
10 massive and the tail is tiny and largely  
11 hypothetical.

12 JUSTICE GORSUCH: And the dog is that  
13 we're concerned about juries not being able to  
14 understand?

15 MR. KEDEM: And -- and the fact that  
16 you were shifting the focus. Imagine you are a  
17 juror and you are at a felon-in-possession  
18 trial. And all of a sudden the judge, the  
19 witnesses, the lawyers, all start talking about  
20 a prior crime totally unrelated.

21 And under the best of circumstances  
22 that sort of trial within a trial can be deeply  
23 confusing.

24 JUSTICE GORSUCH: Deeply confusing for  
25 a jury, and we just shouldn't trust juries,

1 even though it's enshrined in the Constitution  
2 that -- that every person is entitled to have  
3 their guilt or innocence -- then we need to  
4 worry -- we need paternalistically to worry  
5 about juries?

6 MR. KEDEM: No, Your Honor. But if  
7 you are convinced that that is what Congress  
8 had in mind when it enacted FOIA in 1986 then,  
9 yes, that is the result that you would reach.

10 JUSTICE ALITO: How many people are  
11 now serving time in federal prison under the  
12 felon-in-possession statute?

13 MR. KEDEM: Well, given that it's  
14 about 8, 9, 10,000 a year, it's going to be a  
15 very high number.

16 If I could, because my time is limited  
17 --

18 JUSTICE KAVANAUGH: So Morissette  
19 itself, the charge was converting government  
20 property. And the defendant's argument was I  
21 didn't think it was government property because  
22 I thought it was abandoned.

23 MR. KEDEM: Right. Notice --

24 JUSTICE KAVANAUGH: The government  
25 there argued who cares? It doesn't matter if

1 you thought it was abandoned.

2 MR. KEDEM: Right.

3 JUSTICE KAVANAUGH: And Justice  
4 Jackson saw the problem.

5 MR. KEDEM: Right, because that --

6 JUSTICE KAVANAUGH: And why is that  
7 different from this case?

8 They're the abandoned property here.  
9 You're -- didn't know your status.

10 MR. KEDEM: Because here we're talking  
11 not just about a legal status, but the  
12 defendant's own legal status, something of  
13 which he presumably is aware or at least is  
14 charged with being aware.

15 What a defendant can't do is say: I  
16 don't remember when my visa was going to expire  
17 and, you know what, I'm not going to bother to  
18 figure out, because as long as I remain  
19 ignorant, even recklessly ignorant about my own  
20 status, that means that I can't face liability.

21 If I could just tie together the  
22 various strands of our textual argument. It is  
23 first that you are separating out knowingly  
24 violates from the regulatory prohibition, which  
25 this Court has read to mean that it's a

1 reference to the specific acts or omissions  
2 that violate the prohibition.

3 Two, the fact that you're dealing with  
4 the defendant's own legal status.

5 Three, the fact that knowingly  
6 violates, if you import the knowing  
7 requirement, produces all sorts of double  
8 mental states or incompatible mental states  
9 under subsections (d), (h), and (a)(6).

10 Four, the fact that Congress was  
11 always explicit in 922 when it wanted to  
12 require a particular mental state with respect  
13 to background circumstances.

14 And, five, in the two instances where  
15 Congress thought that maybe someone reasonably  
16 wouldn't be on notice of their status, it made  
17 specific provision of those.

18 All of that, combined with the 50-year  
19 history that Congress had at its fingertips  
20 when it enacted FOIA in 1986, moreover the fact  
21 that if Congress had a problem with the way  
22 every court of appeals in the country has  
23 interpreted FOIA, presumably it would have done  
24 something about that in the last 30 years.

25 And yet even though 922 and 924 have

1     been modified more than a dozen times, Congress  
2     has not done so.

3             If there are no further questions.

4             JUSTICE GINSBURG: I would like to  
5     know your -- your view of -- let's just say we  
6     -- we would reverse the -- the collateral  
7     review issue that I asked about.

8             MR. KEDEM: Sure. So the government's  
9     view is that under Bousley, the defendant would  
10    have to show on collateral review that he was  
11    actually innocent, meaning he actually did not  
12    know about his status.

13            But, of course, any defendant could  
14    raise that argument and would have every  
15    incentive to try and raise that argument.

16            CHIEF JUSTICE ROBERTS: Thank you,  
17    counsel.

18            Six minutes, Ms. Cakmis.

19            REBUTTAL ARGUMENT OF ROSEMARY T. CAKMIS

20            ON BEHALF OF THE PETITIONER

21            MS. CAKMIS: Thank you, Your Honor.

22            First, I'd just like to point out I  
23    think that 10,000 a year prosecutions under  
24    this statute is somewhat overstated in that the  
25    sentencing commission has indicated in the past

1 15 years there's only been 65,000.

2 But, regardless, the bulk of them are  
3 under the felon-in-possession. And we  
4 acknowledge that the bulk of the time there's  
5 not going to be a problem.

6 But that small but significant number  
7 of cases there is a problem in, where there is  
8 honest miss-advice by a judge, and the  
9 defendant believes the judge, is he supposed to  
10 inquire further and say: Judge, you're wrong?

11 We would respectfully submit that's  
12 not practical or fair.

13 In essence, the government says it's  
14 not adding or complaining of its burden, but,  
15 rather, is concerned about the added burden on  
16 the jury and the jury confusion, but virtually  
17 every statute has knowledge and the jury sorts  
18 it out. That's what they do.

19 The government is, in effect, asking  
20 this Court to create a whole new rule, a rule  
21 that relieves it of its burden to prove the  
22 only critical fact that makes firearm  
23 possession in this country illegal, and that  
24 fact is status.

25 Our reading, applying it to the



1 status, is consistent with the plain language  
2 of the statutes, with this Court's canons of  
3 statutory construction, and with the purpose of  
4 FOPA in inserting knowledge in the first place.

5 Congress did something different.  
6 Prior to FOPA, knowledge was not in the  
7 statute. It's there now.

8 The fact that other Congresses  
9 afterwards have not changed it adds very little  
10 weight in this very weak canon this Court has  
11 described.

12 And for all those reasons, we'd ask  
13 the Court to reverse. Thank you.

14 CHIEF JUSTICE ROBERTS: Thank you,  
15 counsel. The case is submitted.

16 (Whereupon, at 2:58 p.m., the case was  
17 submitted.)

18  
19  
20  
21  
22  
23  
24  
25

<b>1</b>	<b>a)(6</b> <sup>[3]</sup> <b>41:13 52:2 61:9</b> <b>abandoned</b> <sup>[3]</sup> <b>59:22 60:</b> 1,8 <b>ability</b> <sup>[1]</sup> <b>30:13</b> <b>able</b> <sup>[5]</sup> <b>13:11 21:23 27:8</b> <b>45:8 58:13</b> <b>about</b> <sup>[52]</sup> <b>5:14,24 8:6,14</b> <b>11:8 12:16 13:5 17:19 21:6</b> <b>22:8 23:12 30:20 31:7,9,14,</b> <b>14 34:12,21 35:11 36:14</b> <b>40:3,5 42:2,14 43:11 44:7</b> <b>45:11 47:15 49:10 50:3,8,</b> <b>17 52:1,2,3,12,14 53:9 54:6,</b> <b>6 55:16 57:14 58:13,19 59:</b> <b>5,14 60:11,19 61:24 62:7,</b> <b>12 63:15</b> <b>absolutely</b> <sup>[2]</sup> <b>43:9 47:25</b> <b>abuse</b> <sup>[1]</sup> <b>53:18</b> <b>academically</b> <sup>[1]</sup> <b>16:23</b> <b>acknowledge</b> <sup>[3]</sup> <b>27:2 29:</b> <b>4 63:4</b> <b>acknowledged</b> <sup>[1]</sup> <b>28:23</b> <b>across</b> <sup>[1]</sup> <b>43:23</b> <b>act</b> <sup>[1]</sup> <b>25:21</b> <b>activity</b> <sup>[1]</sup> <b>52:21</b> <b>acts</b> <sup>[3]</sup> <b>33:7,9 61:1</b> <b>actual</b> <sup>[1]</sup> <b>46:22</b> <b>actually</b> <sup>[5]</sup> <b>12:14 19:3 46:</b> <b>10 62:11,11</b> <b>added</b> <sup>[1]</sup> <b>63:15</b> <b>addicted</b> <sup>[4]</sup> <b>21:8,10,17 22:</b> <b>2</b> <b>adding</b> <sup>[1]</sup> <b>63:14</b> <b>additionally</b> <sup>[2]</sup> <b>4:20 18:</b> <b>10</b> <b>adds</b> <sup>[1]</sup> <b>64:9</b> <b>adjudged</b> <sup>[1]</sup> <b>15:5</b> <b>admission</b> <sup>[1]</sup> <b>15:15</b> <b>admit</b> <sup>[2]</sup> <b>32:18 44:13</b> <b>admitted</b> <sup>[2]</sup> <b>14:17 18:21</b> <b>admonition</b> <sup>[2]</sup> <b>31:8,9</b> <b>adulthood</b> <sup>[1]</sup> <b>20:9</b> <b>affirmative</b> <sup>[3]</sup> <b>29:13,19,</b> <b>23</b> <b>after</b> <sup>[5]</sup> <b>9:17 32:5 36:12 46:</b> <b>21 55:11</b> <b>afterwards</b> <sup>[2]</sup> <b>31:4 64:9</b> <b>again</b> <sup>[6]</sup> <b>7:9,21 18:17 19:</b>	<b>14 49:1 57:2</b> <b>against</b> <sup>[3]</sup> <b>21:13 22:17 52:</b> <b>15</b> <b>age</b> <sup>[2]</sup> <b>42:21 57:17</b> <b>agree</b> <sup>[13]</sup> <b>5:5,25 24:3 26:</b> <b>18 37:4,7,18 38:5,9 41:21</b> <b>43:3,15 45:6</b> <b>agreed</b> <sup>[1]</sup> <b>16:14</b> <b>agreement</b> <sup>[1]</sup> <b>45:8</b> <b>ahead</b> <sup>[3]</sup> <b>36:1 37:19,20</b> <b>aimed</b> <sup>[1]</sup> <b>57:19</b> <b>alien</b> <sup>[6]</sup> <b>27:25 28:10 35:15</b> <b>42:25 44:9,21</b> <b>aliens</b> <sup>[1]</sup> <b>25:25</b> <b>alito</b> <sup>[29]</sup> <b>5:18 6:4,6,15,18,</b> <b>23 7:2,4,7,13,16 8:13,20 9:</b> <b>5,19 10:2 18:20 19:9,18 20:</b> <b>1 22:8 23:1,14 24:14,23 40:</b> <b>6 51:11 52:11 59:10</b> <b>all</b> <sup>[50]</sup> <b>6:18 9:9 13:4,10,11</b> <b>14:21 17:21 19:18 20:8,11</b> <b>22:3,21 23:2,2,22 26:15 28:</b> <b>19,20 31:18,22 34:18,18 37:</b> <b>2 38:8 40:17 41:4,22 43:4,</b> <b>7,20 45:15,23 46:1 49:6,18</b> <b>50:10 52:4 53:15,17,22 55:</b> <b>17,17 56:9,13 57:1 58:18,</b> <b>19 61:7,18 64:12</b> <b>allon</b> <sup>[1]</sup> <b>25:17</b> <b>allowed</b> <sup>[4]</sup> <b>17:23 18:3,18</b> <b>35:13</b> <b>almost</b> <sup>[2]</sup> <b>12:24 34:18</b> <b>already</b> <sup>[1]</sup> <b>41:18</b> <b>also</b> <sup>[6]</sup> <b>10:6,8 17:11 41:11</b> <b>43:15 53:19</b> <b>alternative</b> <sup>[1]</sup> <b>10:15</b> <b>although</b> <sup>[1]</sup> <b>54:7</b> <b>always</b> <sup>[10]</sup> <b>12:24 28:16,18</b> <b>37:2 38:22 47:12 49:3 52:</b> <b>21 54:19 61:11</b> <b>am</b> <sup>[2]</sup> <b>30:25 38:19</b> <b>amount</b> <sup>[1]</sup> <b>30:8</b> <b>an</b> <sup>[30]</sup> <b>4:18 5:24 6:2 8:13</b> <b>14:23 15:4 17:3 18:3 22:14</b> <b>24:6,18 27:9,18,24 28:10,</b> <b>11 29:13,19,23 30:8 35:9,</b> <b>14 42:24 44:9,20 46:23,25</b> <b>52:8,13,20</b>	<b>another</b> <sup>[5]</sup> <b>14:1 15:2 40:</b> <b>14 41:5 46:6</b> <b>answer</b> <sup>[6]</sup> <b>11:10 13:9,10</b> <b>16:20 39:17,21</b> <b>any</b> <sup>[12]</sup> <b>9:21 18:4,25 33:5</b> <b>34:2 39:6,6 49:2 52:23 53:</b> <b>12 56:7 62:13</b> <b>anyone</b> <sup>[2]</sup> <b>44:8 48:11</b> <b>anything</b> <sup>[4]</sup> <b>27:10 40:10</b> <b>44:6 47:15</b> <b>anywhere</b> <sup>[1]</sup> <b>18:4</b> <b>apologize</b> <sup>[1]</sup> <b>15:24</b> <b>appeals</b> <sup>[8]</sup> <b>28:22 29:2 49:</b> <b>4,18 50:10,19 51:1 61:22</b> <b>appear</b> <sup>[1]</sup> <b>50:6</b> <b>application</b> <sup>[1]</sup> <b>27:3</b> <b>applied</b> <sup>[2]</sup> <b>27:7 33:4</b> <b>applies</b> <sup>[5]</sup> <b>22:9 31:22 32:</b> <b>18 39:23 46:16</b> <b>apply</b> <sup>[9]</sup> <b>7:18,19 9:7,14 20:</b> <b>17,20 42:9,9 46:1</b> <b>applying</b> <sup>[3]</sup> <b>3:15 10:7 63:</b> <b>25</b> <b>approximately</b> <sup>[1]</sup> <b>13:23</b> <b>are</b> <sup>[55]</sup> <b>3:24 4:14 10:10,22</b> <b>11:13 12:25 13:11,12,17,20,</b> <b>23 14:4,10 19:17 22:10 24:</b> <b>15 28:5,7 31:18 33:21 34:</b> <b>10 35:4,4,18 36:1 38:7 43:</b> <b>1,5,6 44:22 45:25 46:9,18</b> <b>47:1 51:12,13,13,16 52:4</b> <b>53:23 54:3 56:15 57:4,12,</b> <b>13,15,21,22 58:16,17 59:7,</b> <b>10 60:23 62:3 63:2</b> <b>argued</b> <sup>[1]</sup> <b>59:25</b> <b>argument</b> <sup>[23]</sup> <b>3:4,7 10:2,</b> <b>14,18 25:17 28:2,5 44:7,11</b> <b>50:5,11 51:18 52:14 55:19</b> <b>56:4,19 57:8 59:20 60:22</b> <b>62:14,15,19</b> <b>arguments</b> <sup>[2]</sup> <b>50:5,12</b> <b>armenian</b> <sup>[1]</sup> <b>39:14</b> <b>around</b> <sup>[1]</sup> <b>49:4</b> <b>as</b> <sup>[33]</sup> <b>11:12,24,24 12:5,5</b> <b>17:19 18:15,15 20:18 22:3</b> <b>23:7,8 26:22 28:16,20 29:</b> <b>23 30:3,10,11 31:1,17 32:</b> <b>14,14 40:18 48:8 49:10 50:</b>
<b>2</b>			
<b>2:02</b> <sup>[1]</sup> <b>3:2</b> <b>2:58</b> <sup>[1]</sup> <b>64:16</b> <b>20</b> <sup>[1]</sup> <b>36:11</b> <b>21</b> <sup>[1]</sup> <b>47:14</b>			
<b>3</b>			
<b>30</b> <sup>[1]</sup> <b>61:24</b>			
<b>5</b>			
<b>50</b> <sup>[2]</sup> <b>23:13 50:10</b> <b>50-year</b> <sup>[2]</sup> <b>34:2 61:18</b>			
<b>6</b>			
<b>65,000</b> <sup>[1]</sup> <b>63:1</b>			
<b>8</b>			
<b>8</b> <sup>[2]</sup> <b>22:9 59:14</b>			
<b>9</b>			
<b>9</b> <sup>[1]</sup> <b>59:14</b> <b>90</b> <sup>[1]</sup> <b>34:8</b> <b>920</b> <sup>[1]</sup> <b>31:24</b> <b>922</b> <sup>[4]</sup> <b>9:11 51:23 61:11,25</b> <b>922(g)</b> <sup>[9]</sup> <b>3:11 4:1,6,11,13</b> <b>9:12 13:23 35:20 58:6</b> <b>922(g)(3)</b> <sup>[1]</sup> <b>21:7</b> <b>924</b> <sup>[2]</sup> <b>43:18 61:25</b> <b>924(a)</b> <sup>[1]</sup> <b>33:13</b> <b>924(a)(2)</b> <sup>[5]</sup> <b>4:10,15 9:12</b> <b>32:25 40:16</b> <b>95</b> <sup>[1]</sup> <b>13:23</b> <b>99</b> <sup>[1]</sup> <b>34:8</b>			
<b>A</b>			

<p>25 51:1 53:11,11 56:25 60:18,18  <b>ask</b> [3] 12:11 30:5 64:12  <b>asked</b> [1] 62:7  <b>asking</b> [4] 20:17 56:7,13 63:19  <b>aspect</b> [1] 15:7  <b>assault</b> [1] 24:21  <b>assume</b> [1] 51:17  <b>assumed</b> [1] 8:8  <b>assuming</b> [2] 36:3 39:18  <b>assumption</b> [2] 53:23 54:1  <b>at</b> [34] 7:23 11:1 12:25 15:15,19 16:2 17:8 18:4,11 20:11,20,22 28:7 33:3 38:7,8,10,13 42:15 46:1,22 49:6,18 54:11,22 55:13 56:25 57:4,16,19 58:17 60:13 61:19 64:16  <b>attach</b> [6] 6:16,24 8:23 9:1 43:18,22  <b>attached</b> [1] 5:6  <b>attaches</b> [2] 4:22 44:13  <b>attempted</b> [1] 22:16  <b>attend</b> [1] 49:23  <b>austin</b> [1] 47:16  <b>avenue</b> [2] 12:1,4  <b>aware</b> [9] 21:10 24:1 45:5 46:10 49:12 51:13 53:11 60:13,14  <b>awareness</b> [2] 25:24 39:6</p> <hr/> <p style="text-align: center;"><b>B</b></p> <hr/> <p><b>b</b> [1] 42:5  <b>back</b> [2] 28:18 39:17  <b>background</b> [1] 61:13  <b>bank</b> [1] 24:20  <b>baseline</b> [2] 4:17 41:3  <b>basis</b> [1] 6:7  <b>be</b> [78] 3:20 4:5 9:6 11:5,20 12:3,8,12,21,21,22 13:6,11 14:4,9 15:5 16:20,21 17:24 18:19,24,25 19:8,15,25 20:14 21:3,4,23,25 22:11,19,20 23:5,18 24:12 25:3 29:3,6,13 30:2 33:24 34:4,9,10,24 35:4 36:3,4,18 37:22 38:15 41:21 42:15,16 45:4,4,8</p>	<p>48:15,17 50:8,13 52:18,24 53:7 54:8,10,14,18,19 55:20,23 56:6 57:10 58:22 59:14 61:16 63:5  <b>because</b> [46] 3:16 4:10 5:12 6:5,20 7:9 8:6,21 13:1 14:5 16:6,12 17:21,25 18:2,14 20:25 21:10 22:24 23:10,22 24:7,10 31:4 33:25 35:15 39:21 42:13,21 43:24 44:13,15,16,21,22 46:18 48:15 53:8 54:14 55:15 57:18 59:16,21 60:5,10,18  <b>become</b> [1] 24:11  <b>becomes</b> [3] 3:21 27:12 51:22  <b>been</b> [26] 11:18 12:1 16:23 17:1,8,8,16,22 18:17 19:1 20:15 22:23,23 23:7 27:8 28:16,18 30:6 44:25 46:20 49:25 50:18,24 53:9 62:1 63:1  <b>before</b> [6] 3:21 15:6 16:12 43:16,17 51:5  <b>behalf</b> [3] 3:8 25:18 62:20  <b>behind</b> [2] 5:19 7:17  <b>being</b> [14] 7:10,11 14:15 15:16 21:8,10 23:15 24:16 28:8 35:21 45:2 47:15 58:13 60:14  <b>belief</b> [1] 30:11  <b>believe</b> [6] 4:3 13:24 25:10 39:24 40:23 55:4  <b>believes</b> [1] 63:9  <b>below</b> [1] 20:16  <b>besides</b> [1] 47:23  <b>best</b> [1] 58:21  <b>between</b> [5] 5:9 29:25 30:14 37:24 51:7  <b>beyond</b> [2] 29:16 42:16  <b>big</b> [1] 55:21  <b>bit</b> [1] 32:22  <b>black</b> [1] 37:16  <b>blameworthiness</b> [3] 8:1,8 9:25  <b>blameworthy</b> [7] 27:21,24 28:3 33:15,19 34:13 35:6</p>	<p><b>bodily</b> [1] 22:19  <b>both</b> [1] 46:13  <b>bother</b> [1] 60:17  <b>bousley</b> [1] 62:9  <b>breyer</b> [29] 35:24 36:2,7,17,25 37:7,10,15,18 38:4,13,18,21,25 39:8,12 41:20 42:8 47:7,10,20,23 48:3,6,20,23 57:15 58:1,5  <b>briefly</b> [1] 51:3  <b>broad</b> [1] 10:11  <b>broader</b> [1] 12:22  <b>brought</b> [4] 47:12,15 53:8 57:16  <b>bryan</b> [1] 33:11  <b>building</b> [1] 36:12  <b>bulk</b> [4] 21:24 23:6 63:2,4  <b>burden</b> [9] 55:24 56:5,16,21 57:3,9 63:14,15,21  <b>burdensome</b> [1] 56:25  <b>but</b> [88] 4:6,16 5:18 7:5,13 8:13,16,17 9:4 10:6,15,25 11:12 12:12,13 13:8 15:5 17:17,22 18:1,17 19:3,12,21 20:3,12 21:6,11,11,13,22 23:1,9 25:4 26:20,21 28:1,14 29:6,7 30:21 32:16,18 33:21 34:6,10 35:3,17 36:17,17,17,21 37:9,9 38:10 39:7,7 40:18 41:11 44:4,12,24 45:22 47:18 48:1,3,9 49:1,11 50:7,10,13 52:23 53:2,9,19 55:1,22,22 56:6 59:6 60:11 62:13 63:2,6,6,14,16  <b>by</b> [27] 6:3 7:11 10:20 13:20 19:1 20:16,19 22:1,15 23:5,19 25:6 27:6 28:6 30:9 31:2,20 37:11 42:24 45:1,2,8 47:13,13,18 54:22 63:8</p> <hr/> <p style="text-align: center;"><b>C</b></p> <hr/> <p><b>c</b> [3] 3:1 42:5 48:12  <b>cakmis</b> [64] 3:6,7,9 4:10 5:4,7,10 6:1,5,9,17,20 7:1,3,6,9,15,21 8:2,4,11,19,25 9:9,22 10:5,18,20 11:15 12:3,16 13:8,22 14:7,13,16 15:1,13,17,21,24 16:4,11,22 17:3,11,16,20 19:7,14,23 20:3</p>	<p>21:5,15,24 22:22 23:4 24:5,22,24 25:15 62:18,19,21  <b>came</b> [3] 15:10 16:6 23:12  <b>camel's</b> [1] 29:8  <b>can</b> [21] 13:2,3 19:15 23:17,18 24:18,19 30:8 32:13,14 36:4 41:1 43:8 47:20,25 48:24,25 52:23,23 53:7 58:22  <b>cannot</b> [2] 24:9 40:20  <b>canon</b> [1] 64:10  <b>canons</b> [1] 64:2  <b>can't</b> [7] 11:20 14:5,8,9 24:2 60:15,20  <b>capps</b> [1] 49:13  <b>careful</b> [2] 50:8,9  <b>carefully</b> [1] 49:23  <b>cares</b> [1] 59:25  <b>carved</b> [3] 5:10 6:2,7  <b>case</b> [17] 3:4 4:4 20:15,19 29:2 31:1 33:3,11 37:2 42:19 52:17 54:19,19 57:18 60:7 64:15,16  <b>cases</b> [26] 3:18 7:22 10:16 11:13,14 21:24 23:7 26:19 28:20 31:18 34:4,10,11,18,19,23 35:3 36:22 45:7 49:5 54:4 55:19,21,23 56:10 63:7  <b>categories</b> [3] 9:18 17:5 48:12  <b>category</b> [4] 48:17 49:5 56:10 58:7  <b>caught</b> [1] 10:11  <b>cause</b> [5] 4:3 12:7 22:19 39:24 43:17  <b>caused</b> [1] 18:15  <b>certain</b> [5] 27:3 28:5,8 32:2 42:13  <b>certified</b> [1] 26:14  <b>challenging</b> [4] 24:8,25 25:1,4  <b>chances</b> [1] 13:16  <b>change</b> [2] 13:25 44:7  <b>changed</b> [1] 64:9  <b>changes</b> [1] 41:5  <b>changing</b> [1] 35:22  <b>characteristics</b> [2] 23:2 44:23</p>
--	--	--	---

<p><b>charge</b> [2] 37:12 59:19  <b>charged</b> [7] 12:25 23:14 24:16 28:4,7 48:18 60:14  <b>charges</b> [1] 11:19  <b>chemical</b> [1] 33:3  <b>chief</b> [12] 3:3,9 12:15,18 17:14,17 24:6 25:13,16,19 62:16 64:14  <b>child</b> [2] 22:15,18  <b>children</b> [1] 20:6  <b>choose</b> [1] 30:14  <b>chosen</b> [1] 39:20  <b>circuit</b> [2] 49:13 50:6  <b>circumstance</b> [1] 34:14  <b>circumstances</b> [5] 26:2 28:6 37:2 58:21 61:13  <b>citizens</b> [3] 20:9,10,11  <b>claims</b> [1] 25:7  <b>classes</b> [1] 55:18  <b>clause</b> [1] 6:9  <b>clear</b> [2] 41:10 50:2  <b>clearer</b> [2] 50:24 51:22  <b>close</b> [1] 27:10  <b>clue</b> [1] 46:6  <b>collateral</b> [2] 62:6,10  <b>colorable</b> [1] 55:24  <b>combined</b> [1] 61:18  <b>come</b> [3] 20:6 27:4 48:25  <b>comes</b> [2] 19:20 43:23  <b>comforted</b> [1] 27:6  <b>commerce</b> [3] 6:9,14 44:9  <b>commission</b> [1] 62:25  <b>committed</b> [1] 54:16  <b>complaining</b> [1] 63:14  <b>complex</b> [1] 43:5  <b>complicated</b> [1] 22:11  <b>comply</b> [1] 14:20  <b>composed</b> [3] 36:21 38:15 39:13  <b>concern</b> [3] 49:5 56:10 58:6  <b>concerned</b> [2] 58:13 63:15  <b>concerning</b> [1] 9:3  <b>conclusion</b> [3] 5:19 7:17 19:20  <b>condition</b> [1] 15:10  <b>conditioned</b> [1] 14:11</p>	<p><b>conduct</b> [20] 4:24 5:16 6:10,22 7:11 10:1 11:25 22:25 27:17,21,24 30:21,22 33:1 44:15,18,21,22 52:17 53:1  <b>confronted</b> [1] 20:19  <b>confusing</b> [3] 57:11 58:23,24  <b>confusion</b> [4] 17:19,24 18:15 63:16  <b>Congress</b> [52] 5:2,13,23 6:15,23 7:17 8:14,15,22 9:7 20:2 21:9 26:21 34:1,5 37:23 39:18,20 40:2,25 41:1,4,13,17 45:11,15,22,24 46:1,7,11,13,19 47:3 48:1 49:2 50:21,25 51:15,17,20,23 52:4,8 53:25 59:7 61:10,15,19,21 62:1 64:5  <b>Congresses</b> [1] 64:8  <b>Congressional</b> [2] 5:25 52:14  <b>Congress's</b> [2] 6:21 9:3  <b>consensus</b> [2] 26:4 50:18  <b>consent</b> [1] 42:21  <b>consequence</b> [1] 57:8  <b>consequences</b> [3] 11:9 51:4 56:21  <b>consequent</b> [1] 30:12  <b>consider</b> [1] 50:19  <b>considered</b> [1] 18:25  <b>considering</b> [1] 57:15  <b>consistent</b> [1] 64:1  <b>consistently</b> [1] 39:3  <b>constitution</b> [1] 59:1  <b>constitutional</b> [2] 11:10,11  <b>constitutionally</b> [2] 3:18 30:21  <b>construction</b> [1] 64:3  <b>construed</b> [1] 33:12  <b>contained</b> [1] 43:24  <b>contention</b> [1] 30:7  <b>continue</b> [1] 18:23  <b>controlled</b> [1] 21:8  <b>conversely</b> [1] 28:17  <b>converting</b> [1] 59:19  <b>convicted</b> [8] 11:18,21,21</p>	<p>12:1 24:20 25:2 31:3 44:25  <b>conviction</b> [2] 21:4 23:23  <b>convictions</b> [1] 13:7  <b>convinced</b> [1] 59:7  <b>convoluted</b> [1] 49:14  <b>copy</b> [1] 23:6  <b>corporation</b> [1] 33:3  <b>correct</b> [7] 10:5 14:7 27:22 28:1 46:3 49:21 54:3  <b>could</b> [23] 6:15,16,17,24 7:2 8:16 11:19 14:2,2 16:20 17:16 21:3 27:4 36:18 38:15 39:16 42:4 43:18 45:22 51:3 59:16 60:21 62:13  <b>counsel</b> [6] 25:14 29:9 49:7,9 62:17 64:15  <b>country</b> [8] 14:17 15:4 20:7 35:15 47:13 49:4 61:22 63:23  <b>course</b> [4] 17:15 23:8 35:17 62:13  <b>court</b> [39] 3:10 4:24 5:1,10 6:3 9:23 10:25 11:4,19 15:2,6 16:14 17:24 18:13 20:16,17,18 22:23,24 25:10,20 28:22 29:1 33:2,6,10 37:1 38:22 39:2 45:19 46:25 49:4 50:18 51:1 60:25 61:22 63:20 64:10,13  <b>courts</b> [3] 48:7 49:17 50:9  <b>court's</b> [7] 4:20,22 7:22 10:6 11:2 30:16 64:2  <b>create</b> [2] 25:25 63:20  <b>creating</b> [1] 31:10  <b>credible</b> [1] 22:13  <b>crime</b> [8] 11:21 23:25 30:8 36:11 45:1 54:17,22 58:20  <b>crimes</b> [2] 3:25 50:23  <b>criminal</b> [6] 12:6 37:11 39:9 40:10 52:18 57:19  <b>criminalizes</b> [3] 4:23 5:15 10:1  <b>critical</b> [1] 63:22  <b>crucial</b> [1] 3:12  <b>culpability</b> [2] 5:17 7:23</p> <hr/> <p style="text-align: center;"><b>D</b></p> <hr/> <p><b>d</b> [7] 3:1 39:22 40:18 42:5 43:15 52:1 61:9</p>	<p><b>daca</b> [1] 43:13  <b>dangerous</b> [1] 28:3  <b>day</b> [1] 49:19  <b>deal</b> [1] 55:21  <b>dealer</b> [3] 39:22 40:3 41:6  <b>dealing</b> [2] 55:18 61:3  <b>decertified</b> [1] 26:16  <b>decision</b> [1] 51:4  <b>deeply</b> [3] 57:11 58:22,24  <b>default</b> [2] 4:17 12:8  <b>defendant</b> [30] 4:2,6 6:12 8:1 22:21,22 23:19 24:8,24 25:23 26:5 31:12 33:15 34:11,24 39:5,23 42:14,20 53:12,24 54:8,15,20,24 55:11 60:15 62:9,13 63:9  <b>defendants</b> [1] 35:18  <b>defendant's</b> [12] 5:17 6:10,22 7:11,23 9:8 29:25 51:20 52:16 59:20 60:12 61:4  <b>defense</b> [13] 15:2 16:14,21 17:12,21,22 18:9,19 28:17 29:13,19,23 55:8  <b>defined</b> [1] 22:10  <b>definition</b> [4] 21:16,20 41:5,6  <b>definitively</b> [1] 40:8  <b>delta</b> [2] 29:25 34:11  <b>demonstrated</b> [1] 23:5  <b>denial</b> [1] 21:12  <b>depend</b> [2] 10:3,14  <b>dependent</b> [1] 21:17  <b>depends</b> [1] 52:21  <b>described</b> [1] 64:11  <b>despite</b> [2] 26:6 55:3  <b>did</b> [11] 7:17 10:14 14:24,25 19:24 33:2 50:25 52:9 54:21 62:11 64:5  <b>didn't</b> [21] 6:19 7:5 8:15,16,17,17,18 15:25 16:25 17:21,25 19:20 25:7 31:5 42:22 46:7 54:21 57:16,23 59:21 60:9  <b>difference</b> [4] 5:9 7:10 51:7,10  <b>different</b> [9] 11:7 25:3 33:12 40:13 45:11,12 50:16 60:7 64:5</p>
--	---	---	--

<p><b>difficult</b> <sup>[1]</sup> 35:8</p> <p><b>direct</b> <sup>[2]</sup> 4:13 33:9</p> <p><b>directly</b> <sup>[3]</sup> 8:17 9:11 42:12</p> <p><b>dismissed</b> <sup>[3]</sup> 16:23 17:9 56:25</p> <p><b>dispute</b> <sup>[1]</sup> 12:14</p> <p><b>distinguished</b> <sup>[2]</sup> 52:24 53:7</p> <p><b>distinguishing</b> <sup>[1]</sup> 37:24</p> <p><b>distribute</b> <sup>[1]</sup> 44:4</p> <p><b>distributive</b> <sup>[1]</sup> 44:1</p> <p><b>do</b> <sup>[38]</sup> 3:23,23 4:15 5:4,4 6:19 7:7,13 8:10,16,17,18,25 14:3 15:18 20:1,1 26:9,9,12,12,21 27:12,12 30:15,15 31:7,7 39:4 47:17 49:23 50:3,3 51:6,6 55:5 60:15 63:18</p> <p><b>does</b> <sup>[18]</sup> 4:24 14:21 16:17 17:18 19:11,16 20:23 25:22,24 32:19,19 37:19 38:25 41:6 48:9 50:5 53:3 56:12</p> <p><b>doesn't</b> <sup>[15]</sup> 8:7 10:3 16:19 18:21 19:3 23:24 29:10,11 35:13 36:7 37:13 41:12 50:13 57:21 59:25</p> <p><b>dog</b> <sup>[4]</sup> 58:8,9,9,12</p> <p><b>done</b> <sup>[5]</sup> 8:16 19:2 20:18 61:23 62:2</p> <p><b>don't</b> <sup>[24]</sup> 4:7 10:23 13:4 16:1 20:4 22:6 31:23 36:19,22 38:8 41:20,20 42:1,6,18 44:1,6,10,19,24 50:1 55:1,6 60:16</p> <p><b>double</b> <sup>[1]</sup> 61:7</p> <p><b>double-edged</b> <sup>[1]</sup> 56:3</p> <p><b>doubt</b> <sup>[3]</sup> 36:15 42:17 43:10</p> <p><b>dozen</b> <sup>[1]</sup> 62:1</p> <p><b>dreamer</b> <sup>[3]</sup> 26:10,13,13</p> <p><b>dreamers</b> <sup>[2]</sup> 20:6 43:11</p> <p><b>drugs</b> <sup>[1]</sup> 21:18</p> <p><b>duty</b> <sup>[1]</sup> 30:13</p> <hr/> <p style="text-align: center;"><b>E</b></p> <hr/> <p><b>e</b> <sup>[3]</sup> 3:1,1 42:5</p> <p><b>each</b> <sup>[4]</sup> 9:24,24 10:7 57:20</p>	<p><b>easiest</b> <sup>[2]</sup> 13:1 54:20</p> <p><b>easily</b> <sup>[1]</sup> 47:20</p> <p><b>easy</b> <sup>[3]</sup> 20:24 34:9 55:20</p> <p><b>effect</b> <sup>[1]</sup> 63:19</p> <p><b>either</b> <sup>[1]</sup> 51:13</p> <p><b>element</b> <sup>[47]</sup> 4:23 5:5,6,20,21,23,24 6:16,24,25 7:12,18,20 8:22 9:1,14,15,17,24,24 10:8,16 12:20 20:21 21:7 27:17,18 32:5,7,9,13,16 40:9,9,12,13,13,14 41:4 43:22 44:5,14 45:21,25 51:7,8 53:3</p> <p><b>elements</b> <sup>[10]</sup> 8:6,9,10 28:20 31:19,22 32:2,17 45:23 52:13</p> <p><b>employer</b> <sup>[1]</sup> 41:16</p> <p><b>enacted</b> <sup>[3]</sup> 34:1 59:8 61:20</p> <p><b>end</b> <sup>[2]</sup> 19:10 49:18</p> <p><b>enough</b> <sup>[3]</sup> 15:16 50:2,7</p> <p><b>enshrined</b> <sup>[1]</sup> 59:1</p> <p><b>ensnared</b> <sup>[1]</sup> 53:18</p> <p><b>ensure</b> <sup>[1]</sup> 10:10</p> <p><b>entire</b> <sup>[1]</sup> 35:22</p> <p><b>entitled</b> <sup>[2]</sup> 24:4 59:2</p> <p><b>error</b> <sup>[4]</sup> 12:9 15:19 16:2,9</p> <p><b>especially</b> <sup>[2]</sup> 48:5 51:19</p> <p><b>essence</b> <sup>[1]</sup> 63:13</p> <p><b>even</b> <sup>[21]</sup> 4:25 9:22 10:15 11:3 12:9 16:9 17:6 24:6,18 26:1 32:1 37:1 39:8,18 42:22 49:22 51:22 54:21 59:1 60:19 61:25</p> <p><b>event</b> <sup>[3]</sup> 10:25 52:23 56:7</p> <p><b>ever</b> <sup>[2]</sup> 25:2 37:1</p> <p><b>every</b> <sup>[26]</sup> 4:23 17:1 18:22,24 19:12,15,21 20:19 27:8 30:3 40:9 41:1,3,19 45:21 49:4 50:18 51:1,23 53:10 54:11 58:6 59:2 61:22 62:14 63:17</p> <p><b>everybody</b> <sup>[1]</sup> 36:2</p> <p><b>evidence</b> <sup>[6]</sup> 17:13,18,20 18:14 22:1 29:17</p> <p><b>evil</b> <sup>[1]</sup> 30:14</p> <p><b>ex</b> <sup>[1]</sup> 46:18</p> <p><b>exactly</b> <sup>[3]</sup> 14:3 21:5 49:20</p>	<p><b>example</b> <sup>[10]</sup> 6:10 17:12 20:5 26:13 27:9 35:10 43:13 46:6,24 48:10</p> <p><b>examples</b> <sup>[2]</sup> 27:4 47:21</p> <p><b>except</b> <sup>[3]</sup> 29:9,10 40:19</p> <p><b>exception</b> <sup>[4]</sup> 5:11 6:2,7,8</p> <p><b>exceptions</b> <sup>[1]</sup> 41:1</p> <p><b>excuse</b> <sup>[1]</sup> 9:15</p> <p><b>exist</b> <sup>[2]</sup> 48:24 56:11</p> <p><b>exists</b> <sup>[2]</sup> 45:23 49:6</p> <p><b>expect</b> <sup>[1]</sup> 36:19</p> <p><b>expectation</b> <sup>[1]</sup> 53:20</p> <p><b>expected</b> <sup>[1]</sup> 22:19</p> <p><b>expelled</b> <sup>[1]</sup> 19:4</p> <p><b>experience</b> <sup>[1]</sup> 12:23</p> <p><b>expire</b> <sup>[1]</sup> 60:16</p> <p><b>explain</b> <sup>[1]</sup> 41:12</p> <p><b>explicit</b> <sup>[5]</sup> 37:23 46:13 51:25 52:9 61:11</p> <p><b>explicitly</b> <sup>[2]</sup> 4:1 22:16</p> <p><b>expressly</b> <sup>[1]</sup> 8:24</p> <p><b>extent</b> <sup>[1]</sup> 42:13</p> <p><b>extraordinarily</b> <sup>[2]</sup> 54:8 56:11</p> <hr/> <p style="text-align: center;"><b>F</b></p> <hr/> <p><b>f1</b> <sup>[1]</sup> 18:3</p> <p><b>face</b> <sup>[1]</sup> 60:20</p> <p><b>facing</b> <sup>[1]</sup> 23:12</p> <p><b>fact</b> <sup>[35]</sup> 3:12,14,15,17 4:24 5:15 13:15 18:6 22:23 24:3,12 27:6 28:15,16,25 29:3,13 35:5,9 36:3,4,14 39:5 41:21 42:1 48:18 54:9 58:15 61:3,5,10,20 63:22,24 64:8</p> <p><b>fact-finder</b> <sup>[2]</sup> 19:20,23</p> <p><b>facts</b> <sup>[5]</sup> 14:4,10 21:16,21 42:14</p> <p><b>failed</b> <sup>[1]</sup> 14:19</p> <p><b>fair</b> <sup>[2]</sup> 50:7 63:12</p> <p><b>fairly</b> <sup>[2]</sup> 20:24 47:20</p> <p><b>fairness</b> <sup>[1]</sup> 57:24</p> <p><b>fall</b> <sup>[1]</sup> 19:6</p> <p><b>familiar</b> <sup>[1]</sup> 32:23</p> <p><b>far</b> <sup>[1]</sup> 53:11</p> <p><b>favor</b> <sup>[1]</sup> 16:10</p> <p><b>federal</b> <sup>[6]</sup> 34:3 36:12 50:23 53:2,9 59:11</p>	<p><b>feels</b> <sup>[1]</sup> 10:25</p> <p><b>fellow</b> <sup>[1]</sup> 31:1</p> <p><b>felon</b> <sup>[7]</sup> 4:4,5 13:2 21:2 30:25 31:2 44:21</p> <p><b>felon-in-possession</b> <sup>[15]</sup> 11:14,18 12:24 20:25 23:8,9,15 24:17 35:21 54:6 56:9 57:4 58:17 59:12 63:3</p> <p><b>felons</b> <sup>[1]</sup> 25:25</p> <p><b>felony</b> <sup>[6]</sup> 3:14 23:17,21,23 25:1,5</p> <p><b>figure</b> <sup>[2]</sup> 35:8 60:18</p> <p><b>final</b> <sup>[1]</sup> 7:14</p> <p><b>find</b> <sup>[3]</sup> 20:9 22:6 42:23</p> <p><b>finding</b> <sup>[1]</sup> 22:12</p> <p><b>finds</b> <sup>[1]</sup> 19:23</p> <p><b>fingertips</b> <sup>[1]</sup> 61:19</p> <p><b>finish</b> <sup>[1]</sup> 32:13</p> <p><b>firearm</b> <sup>[10]</sup> 3:13,16,21 18:4 25:21 34:3 39:22 40:3 49:3 63:22</p> <p><b>firearms</b> <sup>[4]</sup> 4:2 6:13 17:15 18:8</p> <p><b>firing</b> <sup>[2]</sup> 17:7 18:7</p> <p><b>first</b> <sup>[13]</sup> 9:9 10:10 32:5,6 34:18 43:4,22 44:5 46:15 53:15 60:23 62:22 64:4</p> <p><b>fits</b> <sup>[1]</sup> 3:20</p> <p><b>five</b> <sup>[2]</sup> 55:11 61:14</p> <p><b>focus</b> <sup>[4]</sup> 33:17 54:12 56:9 58:16</p> <p><b>follow</b> <sup>[3]</sup> 30:5 32:17 37:12</p> <p><b>followed</b> <sup>[2]</sup> 31:20 44:3</p> <p><b>follows</b> <sup>[1]</sup> 32:5</p> <p><b>fopa</b> <sup>[9]</sup> 10:9 26:3 34:2 50:25 59:8 61:20,23 64:4,6</p> <p><b>for</b> <sup>[72]</sup> 5:3,11,20,21,23 6:7,10 9:23 10:11 12:8,11 13:22 17:4,12 18:10,12,23 19:1,3 20:5,24 23:10,23 24:16 25:25 27:17 28:20 29:9,10 31:4 32:14,14 34:15 35:14,20,20,21 37:25 40:9,12,12,14,17 41:3,12,15 42:1 43:13 44:11 45:19,21,23,24 46:13 48:14 49:5,22 50:10 52:5,19 54:16,20 55:10,12 56:7,10,13 58:2,5,6,24 64:12</p>
---	--	---	--

<p><b>forbids</b> [1] 36:20  <b>force</b> [3] 22:17 24:2,9  <b>forgot</b> [1] 54:23  <b>forms</b> [1] 4:17  <b>forth</b> [2] 42:10 48:14  <b>four</b> [1] 61:10  <b>fourth</b> [2] 49:13 50:6  <b>freedom</b> [1] 30:12  <b>frequently</b> [1] 50:23  <b>from</b> [10] 7:21,22 23:18,20 26:14 40:11,13 43:18 60:7, 24  <b>front</b> [3] 9:12,17 13:13  <b>fundamentally</b> [1] 35:22  <b>further</b> [3] 25:11 62:3 63: 10</p>	<p>22 50:7 54:3 55:17 56:2,12, 17,20,24 57:5,7,13 58:12, 24  <b>got</b> [6] 18:6 26:14 31:16 32: 1 55:8,15  <b>government</b> [20] 14:10 15:8 16:13,15,16 20:24 21: 23 22:1 31:5 42:20 55:25 56:5,22 57:3,9 59:19,21,24 63:13,19  <b>government's</b> [4] 17:20 27:3 30:1 62:8  <b>governs</b> [1] 41:9  <b>grammatical</b> [1] 32:23  <b>gravity</b> [1] 32:23  <b>great</b> [1] 24:16  <b>greatest</b> [1] 48:13  <b>ground</b> [1] 52:24  <b>grounds</b> [1] 53:7  <b>guess</b> [1] 27:11  <b>guilt</b> [2] 57:20 59:3  <b>guilty</b> [11] 13:20,23 14:5 19:22,22,25 21:3 27:18,19 54:5 57:22  <b>gun</b> [16] 10:10 13:3 20:14 26:7 27:20 28:2 31:12 33: 17 35:13,14 39:25 40:4,5 44:8 52:7 55:13</p>	<p><b>harmless</b> [4] 12:9 15:19 16:2,9  <b>harsh</b> [1] 27:5  <b>harsher</b> [1] 12:9  <b>has</b> [51] 3:25 4:3,5 5:10 9:4, 23 11:20,20 18:22,23,24 19: 12,15 20:15,18 22:11,20 23: 1,16 25:10 27:8 28:10,11, 16,17 29:13 30:2 36:3 37:1 38:22 39:1,3,10,23,25 40:3, 5,16 41:4,13,16,21 45:20 46:20 53:10 60:25 61:22 62:2,25 63:17 64:10  <b>hasn't</b> [3] 19:1,2 23:7  <b>have</b> [77] 4:7,15 5:23 6:7 8: 16,22 9:16 11:6,17 12:1,1,7, 8 13:4 14:5,10 16:2,4,12,17 17:8,16,21,25,25 18:5,8,14, 17 19:4 21:4 22:4 23:10 24: 7 28:8 31:5,23,23 34:14,24, 25 35:3,16 36:13 37:10,21 38:22 39:1,5,9,20,21 40:19 41:15,23 42:1,4,5 44:1,2 46:20 47:9 48:21 50:4,12, 24 51:15,21 52:4 53:17 54: 10 59:2 61:23,25 62:10,14 64:9  <b>having</b> [2] 21:19 44:25  <b>haystack</b> [1] 48:2  <b>he</b> [85] 3:20 14:4,11,16,17, 19,22,23 15:3,10,10,11,15, 16,22,22 16:2,3,5,5,7,22,23, 25 17:1,2,6,7,7,8,11,14,16, 25 18:2,2,6,10,12,13,23,24 19:11,11,12,13,20,21,24,24 20:12,14 22:23,23 23:1,1,6 24:9 25:2,5,5,7 26:5 31:2,3, 3,5 33:15 35:11,12 36:7,8 42:22,22 47:16,17 54:9,16 55:12 57:16,23 60:13 62: 10,11 63:9  <b>hear</b> [2] 3:3 15:25  <b>hearing</b> [1] 46:21  <b>heart</b> [1] 19:10  <b>heinous</b> [1] 54:17  <b>held</b> [1] 50:19  <b>help</b> [2] 21:11 57:21  <b>helps</b> [1] 13:18</p>	<p><b>her</b> [2] 26:16 34:12  <b>here</b> [22] 5:2 15:19 16:2 17: 4 18:13 20:2,7,13 28:2,11, 12 30:7,19 31:23 32:1 43:1 46:8 47:15 53:9 57:16 60:8, 10  <b>he's</b> [7] 18:25 25:1,4,8 36:7 47:14,16  <b>high</b> [1] 59:15  <b>him</b> [8] 15:5 18:11,12 19:4 26:16 35:13 42:23 47:15  <b>himself</b> [1] 6:13  <b>hinges</b> [1] 50:11  <b>his</b> [34] 3:12,14,21 14:11,14, 24 16:8,17,21 17:19 18:9, 18,23 19:10,11 22:25 24:8, 25 25:1,4,24 26:6 31:6,9 34:12 36:5 47:8,11,13 53: 24 54:9 55:11 57:23 62:12  <b>history</b> [8] 10:24 34:3 49: 10,12,15,24,24 61:19  <b>holdings</b> [1] 49:17  <b>honest</b> [2] 10:11 63:8  <b>honesty</b> [1] 13:10  <b>honor</b> [20] 5:7 6:1 8:11,19, 25 10:5 11:15 12:4 14:16 15:1,13,17 17:4 19:25 20:3 23:4 29:12 32:8 59:6 62:21  <b>honors</b> [2] 48:13,13  <b>hook</b> [4] 8:7 9:4 42:3,9  <b>hooks</b> [1] 42:5  <b>how</b> [14] 11:17 15:18 16:1, 1 21:6,22 23:24 32:19,19 33:14,14,18 41:11 59:10  <b>however</b> [1] 12:4  <b>huge</b> [1] 13:12  <b>human</b> [1] 30:12  <b>hunting</b> [6] 17:11,23 18:1, 5 35:12,16  <b>hurdles</b> [1] 13:12  <b>hypothetical</b> [3] 27:4 58: 7,11  <b>hypotheticals</b> [1] 49:1</p>
<p style="text-align: center;"><b>G</b></p> <p><b>g</b> [4] 3:1 40:17 43:23 52:10  <b>g)(8</b> [3] 46:15,19 52:3  <b>gee</b> [1] 55:23  <b>general</b> [3] 41:2,9 53:20  <b>genuine</b> [4] 12:14 13:14, 15 29:2  <b>get</b> [7] 11:22 12:10,19 13:4 21:4 41:11 43:16  <b>ginsburg</b> [7] 3:23 11:6,8, 16 17:6 54:13 62:4  <b>give</b> [2] 35:9 46:5  <b>given</b> [4] 22:24 34:2 35:19 59:13  <b>glad</b> [1] 53:8  <b>gleaned</b> [1] 7:22  <b>go</b> [8] 8:7 10:23 11:24 15: 19 18:21 36:1 37:19,19  <b>goes</b> [6] 5:16 6:20 17:2 48: 14 51:10 53:19  <b>going</b> [27] 13:11,25 15:23 16:3 21:25 23:11 24:15 27: 16,16 28:18 29:22 31:12 34:9,10 35:4,21 41:18 45:7 54:2 55:8,20,21,23 59:14 60:16,17 63:5  <b>good</b> [3] 30:14 40:7 50:13  <b>gorsuch</b> [44] 13:19 29:7, 15,18,22 30:4,19,24 31:13, 16,25 32:4,9,12,22 35:23, 25 37:17 43:3,7,10,13,20 44:4,12,17,20 45:6 49:7,9,</p>	<p style="text-align: center;"><b>H</b></p> <p><b>h</b> [4] 41:13,15 52:2 61:9  <b>habeas</b> [8] 11:22 12:1,3,4, 7,10 13:13,17  <b>had</b> [35] 9:13 12:14,21,21 13:3,14 14:19,24 15:4,11 16:7,23 17:1,11,22 18:12 19:21 20:12 22:23,23 25: 23 31:1 34:2 35:12 39:5 46: 23 48:16 49:2,3 50:17,19 53:12 59:8 61:19,21  <b>hadn't</b> [1] 17:8  <b>hand</b> [1] 54:5  <b>handed</b> [1] 49:11  <b>hands</b> [1] 24:7  <b>happen</b> [1] 20:4  <b>happened</b> [1] 11:20  <b>happens</b> [1] 54:7  <b>harbor</b> [1] 25:25  <b>hard</b> [2] 37:13 48:20</p>	<p><b>her</b> [2] 26:16 34:12  <b>here</b> [22] 5:2 15:19 16:2 17: 4 18:13 20:2,7,13 28:2,11, 12 30:7,19 31:23 32:1 43:1 46:8 47:15 53:9 57:16 60:8, 10  <b>he's</b> [7] 18:25 25:1,4,8 36:7 47:14,16  <b>high</b> [1] 59:15  <b>him</b> [8] 15:5 18:11,12 19:4 26:16 35:13 42:23 47:15  <b>himself</b> [1] 6:13  <b>hinges</b> [1] 50:11  <b>his</b> [34] 3:12,14,21 14:11,14, 24 16:8,17,21 17:19 18:9, 18,23 19:10,11 22:25 24:8, 25 25:1,4,24 26:6 31:6,9 34:12 36:5 47:8,11,13 53: 24 54:9 55:11 57:23 62:12  <b>history</b> [8] 10:24 34:3 49: 10,12,15,24,24 61:19  <b>holdings</b> [1] 49:17  <b>honest</b> [2] 10:11 63:8  <b>honesty</b> [1] 13:10  <b>honor</b> [20] 5:7 6:1 8:11,19, 25 10:5 11:15 12:4 14:16 15:1,13,17 17:4 19:25 20:3 23:4 29:12 32:8 59:6 62:21  <b>honors</b> [2] 48:13,13  <b>hook</b> [4] 8:7 9:4 42:3,9  <b>hooks</b> [1] 42:5  <b>how</b> [14] 11:17 15:18 16:1, 1 21:6,22 23:24 32:19,19 33:14,14,18 41:11 59:10  <b>however</b> [1] 12:4  <b>huge</b> [1] 13:12  <b>human</b> [1] 30:12  <b>hunting</b> [6] 17:11,23 18:1, 5 35:12,16  <b>hurdles</b> [1] 13:12  <b>hypothetical</b> [3] 27:4 58: 7,11  <b>hypotheticals</b> [1] 49:1</p>	<p style="text-align: center;"><b>I</b></p> <p><b>i'd</b> [1] 62:22  <b>idea</b> [3] 20:12 42:12 48:16  <b>identify</b> [1] 27:9  <b>if</b> [78] 4:18 9:2,2,13,19,20</p>

<p><b>10:15 11:3,16,23 13:17 15:14 16:9 17:8,22 18:2,3,4,18,23 19:14,18,23 20:12 21:15 23:10,14,22 24:8,14,18,22,24 25:1,4,10 26:5 27:24 28:11,14,24,25 31:11,17 32:13 33:15 35:12 37:7,12,18 41:3,17 42:22,24 44:2,7 48:21 49:5,10 50:10,16,21 51:3 53:17,22 54:21 55:7,19 56:11 57:8 58:5 59:6,16,25 60:21 61:6,21 62:3</b>  <b>ignorant</b> [5] 14:9 26:1,1 60:19,19  <b>i'll</b> [1] 7:14  <b>illegal</b> [4] 3:22 27:24 44:20 63:23  <b>illegality</b> [1] 27:1  <b>illegally</b> [5] 15:3 18:13 20:7,13 36:12  <b>illustrate</b> [1] 48:9  <b>illustrative</b> [1] 23:9  <b>i'm</b> [20] 7:15 11:12 15:21 29:15,15 32:14,19,23 33:20 35:1 36:1 48:8 49:12 50:15,16 53:6,6,7 57:18 60:17  <b>imagine</b> [5] 54:24 57:3,11,18 58:16  <b>imagining</b> [1] 57:18  <b>immediately</b> [1] 9:16  <b>immigration</b> [3] 14:23 15:4 43:4  <b>immutable</b> [1] 44:23  <b>import</b> [2] 41:18 61:6  <b>impose</b> [1] 53:4  <b>imposed</b> [2] 39:4 47:5  <b>inadvertently</b> [1] 47:11  <b>incentive</b> [1] 62:15  <b>include</b> [2] 26:22 52:9  <b>included</b> [1] 52:8  <b>includes</b> [1] 22:12  <b>including</b> [1] 39:8  <b>incompatible</b> [1] 61:8  <b>incredible</b> [1] 48:16  <b>incumbent</b> [2] 42:23,25  <b>indicated</b> [3] 18:8,8 62:25  <b>indictment</b> [3] 46:25 47:3,24</p>	<p><b>indictments</b> [1] 47:1  <b>individual</b> [2] 30:13 57:20  <b>individuals</b> [1] 22:10  <b>infer</b> [8] 6:19 7:4 8:15,18,21 9:1,6 22:5  <b>inference</b> [6] 5:22,24 8:13 52:11,13,15  <b>inferences</b> [3] 10:7 22:5,6  <b>inferred</b> [2] 9:23 19:16  <b>inferring</b> [1] 40:11  <b>inflicted</b> [1] 30:9  <b>information</b> [1] 40:3  <b>infraction</b> [1] 18:11  <b>inherently</b> [1] 28:3  <b>injury</b> [2] 22:19 30:8  <b>innocence</b> [2] 57:20 59:3  <b>innocent</b> [10] 3:13 4:24 5:16 10:1,12 26:22,25 30:21 53:19 62:11  <b>inquire</b> [1] 63:10  <b>insert</b> [1] 4:8  <b>inserted</b> [1] 4:18  <b>inserting</b> [2] 10:9 64:4  <b>instance</b> [5] 5:14 39:9 41:12,15 52:6  <b>instances</b> [3] 46:9 52:4 61:14  <b>instead</b> [1] 26:3  <b>institution</b> [1] 26:15  <b>instructed</b> [2] 12:20 16:16  <b>instruction</b> [1] 16:15  <b>intended</b> [2] 8:14 26:22  <b>intent</b> [4] 5:25 19:17 29:9 52:14  <b>intention</b> [1] 30:9  <b>international</b> [1] 33:2  <b>interpret</b> [1] 32:25  <b>interpretation</b> [1] 49:19  <b>interpreted</b> [3] 20:16 51:1 61:23  <b>interrupt</b> [1] 35:2  <b>interstate</b> [3] 6:11,14 44:9  <b>intimate</b> [2] 22:14,18  <b>into</b> [11] 3:13 9:11 12:10 13:4 14:17 17:13 20:6 41:19 47:4 48:7 52:25  <b>introduce</b> [3] 17:13,22,23  <b>invited</b> [1] 53:18</p>	<p><b>invoked</b> [1] 30:7  <b>isn't</b> [8] 5:18 16:8 29:8 36:8 38:4 44:18 56:3 57:8  <b>issue</b> [8] 7:23 13:14,15 15:6 16:9 33:3 50:19 62:7  <b>issued</b> [2] 46:18,21  <b>its</b> [9] 20:17 22:15 34:2 46:14 47:4 53:10 61:19 63:14,21  <b>it's</b> [49] 4:8 5:24 7:12,14,22 8:13 9:2,2 11:1 12:9 13:1 15:7 21:25 23:13 26:8 28:15 30:2 32:20,22 38:18 41:10,10 43:24 44:15,16 48:20 49:24 51:9,14 52:19,20,20 53:24 54:19 55:8,10,14,20,21,23 56:5,23 57:10 59:1,13,14 60:25 63:13 64:7  <b>itself</b> [4] 9:20 27:20 36:21 59:19  <b>i've</b> [2] 7:22 41:22</p> <hr/> <p style="text-align: center;"><b>J</b></p> <p><b>jackson</b> [4] 28:19 37:16,17 60:4  <b>jackson's</b> [2] 30:6 31:7  <b>jail</b> [3] 31:4 37:3 48:14  <b>judge</b> [8] 14:24 15:4 19:19 31:2 58:18 63:8,9,10  <b>judgment</b> [3] 21:3 23:10,12  <b>juries</b> [4] 55:1 58:13,25 59:5  <b>jurisdict</b> [1] 5:20  <b>jurisdiction</b> [3] 5:11 7:19 52:22  <b>jurisdictional</b> [12] 5:6,21 6:25 7:20 8:7 9:2,14 42:3,5 51:7 52:12 53:3  <b>juror</b> [3] 57:4,12 58:17  <b>jury</b> [17] 12:19 16:15,16 19:8,19 22:4 23:22,24 42:16 51:15,18 54:16 57:11 58:25 63:16,16,17  <b>just</b> [29] 8:21 17:4 25:1 29:19,22 30:3,5,5,21 31:13 32:13,18 33:17 34:13 35:15 36:14,19 40:17 47:11 48:14 50:8 51:14 54:21 55:14</p>	<p><b>58:25 60:11,21 62:5,22</b></p> <hr/> <p style="text-align: center;"><b>K</b></p> <p><b>kagan</b> [4] 5:4,8 7:24 51:5  <b>kavanaugh</b> [25] 7:25 8:3,5 10:13,19 28:14,24 29:5 33:14,22 34:6,20 35:1 45:10,14,18 55:1,4,7 56:15,18 59:18,24 60:3,6  <b>kedem</b> [98] 25:16,17,19 26:11,24 27:2,14,22 28:1,22 29:1,6,12,16,20 30:2,18,23 31:9,15,18 32:3,8,10,21,24 33:20,25 34:17,22 35:7 36:6,24 37:4,9,14,21 38:12,17,20,24 39:2,11,16 40:15,23 41:7,10 42:7,11 43:6,9,12,19,24 44:6,15,19,24 45:9,13,17 46:5 47:9,18,22,25 48:5,19,22,25 49:8,21 50:4,15 51:5,9 53:6 54:18 55:3,5,10 56:1,4,23 57:2,6,10,25 58:4,15 59:6,13,23 60:2,5,10 62:8  <b>keep</b> [1] 16:13  <b>kept</b> [1] 18:13  <b>kind</b> [5] 5:22 8:22 16:7 43:5 51:10  <b>kinds</b> [1] 45:11  <b>knew</b> [16] 8:6,9 14:11,17 15:10 16:17 21:15,17,18 22:21,22 23:16 25:5,5 31:5 42:20  <b>know</b> [55] 3:12,20 14:4,22 17:1 18:22,25 19:3,11,12,15,16,21,21,24 21:1 23:2,11,24,24 25:7 28:12 31:1,17 36:7,20,23 38:19,21,23 39:21 41:15,25 42:15,22 43:1 45:7 46:11,12,17 47:2,9 48:1 50:1 52:5 54:9,16,21,21 57:16,23 60:9,17 62:5,12  <b>knowing</b> [7] 4:7 12:21 27:1 28:4,7 41:3 61:6  <b>knowingly</b> [29] 3:11 4:11,12,16,25 5:3 9:11 10:9 11:3,4 26:5,6 31:21 32:1,6,18,24 33:4 39:20 40:16,20 41:</p>
--	--	--	--

<p>18 42:2,9 43:18,21 44:3 60:23 61:5</p> <p><b>knowledge</b> [35] 3:15 4:16, 18,19 12:16 13:16 17:25 18:15,18 19:17 20:21 22:4, 5,7 24:9,25 25:2,4 28:17 29:10 30:24,25 33:1,7 37:21 38:3 41:14,17 42:12 46:7 48:18 50:20 63:17 64:4,6</p> <p><b>known</b> [1] 4:5</p> <p><b>knows</b> [10] 4:3 15:22 16:3, 5 17:2 23:22 36:14 39:23 47:12,17</p> <hr/> <p style="text-align: center;"><b>L</b></p> <hr/> <p><b>lack</b> [1] 26:20</p> <p><b>land</b> [1] 12:7</p> <p><b>language</b> [7] 9:10 43:16 44:1 47:4 48:7 50:2 64:1</p> <p><b>large</b> [1] 37:11</p> <p><b>largely</b> [1] 58:10</p> <p><b>last</b> [4] 35:20 50:10 54:15 61:24</p> <p><b>later</b> [2] 20:9 55:13</p> <p><b>laughter</b> [2] 17:10 36:16</p> <p><b>law</b> [23] 14:6,9 20:15 28:4 30:11 34:25 35:9 36:4,9,10, 20,22 37:6,11,22 39:6,7 46:4 53:2,2,8,9,10</p> <p><b>law-abiding</b> [2] 20:8,10</p> <p><b>lawful</b> [3] 3:17 33:17 52:21</p> <p><b>lawfully</b> [4] 14:17 15:3 28:13 43:1</p> <p><b>laws</b> [6] 34:3 38:16 39:13, 14 43:5 53:17</p> <p><b>lawyers</b> [1] 58:19</p> <p><b>least</b> [4] 20:22 28:7 42:15 60:13</p> <p><b>leave</b> [1] 36:13</p> <p><b>leaving</b> [2] 38:2 51:1</p> <p><b>left</b> [1] 57:1</p> <p><b>legal</b> [13] 13:9 21:16,20 25:24 35:14 38:23 48:18 51:18,20,25 60:11,12 61:4</p> <p><b>legislate</b> [4] 5:13 6:21 9:3 41:1</p> <p><b>legislates</b> [2] 34:5 48:1</p> <p><b>legislative</b> [4] 10:24 49:15, 23,24</p>	<p><b>legislature</b> [1] 3:25</p> <p><b>less</b> [1] 39:7</p> <p><b>lesser</b> [1] 48:13</p> <p><b>let</b> [8] 30:4,4,5 33:23 35:9 42:7,11 46:5</p> <p><b>let's</b> [4] 4:1 38:10 55:11 62:5</p> <p><b>letting</b> [2] 58:8,9</p> <p><b>level</b> [1] 12:25</p> <p><b>liability</b> [2] 31:10 60:20</p> <p><b>liable</b> [1] 35:18</p> <p><b>license</b> [6] 17:12,23 18:1,5 35:12,16</p> <p><b>light</b> [1] 4:21</p> <p><b>like</b> [15] 17:5 20:25 25:11 27:9 31:21 38:1 41:24,24, 25 43:10 51:8 52:17 56:12 62:4,22</p> <p><b>likely</b> [1] 24:1</p> <p><b>limine</b> [1] 16:13</p> <p><b>limited</b> [1] 59:16</p> <p><b>list</b> [1] 31:19</p> <p><b>listed</b> [1] 4:15</p> <p><b>lists</b> [1] 41:23</p> <p><b>little</b> [1] 64:9</p> <p><b>live</b> [1] 20:7</p> <p><b>lived</b> [1] 47:16</p> <p><b>lives</b> [1] 20:8</p> <p><b>logically</b> [1] 9:16</p> <p><b>long</b> [4] 32:14 41:23 45:20 60:18</p> <p><b>longer</b> [3] 18:25 19:13 26:17</p> <p><b>long-standing</b> [1] 26:4</p> <p><b>look</b> [7] 11:1 20:20 36:18 37:13 38:8,10,13</p> <p><b>looking</b> [1] 38:7</p> <p><b>lot</b> [4] 17:18 47:1 50:24 57:22</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/> <p><b>ma'am</b> [1] 15:13</p> <p><b>made</b> [8] 9:20 25:8 34:24 36:14 37:23 45:10 50:4 61:16</p> <p><b>majority</b> [4] 26:19 34:17, 23 54:4</p> <p><b>make</b> [3] 24:5 43:8 53:3</p> <p><b>makes</b> [11] 3:16,19 4:4,21</p>	<p>27:18 37:5 38:7,11,14,15 63:22</p> <p><b>making</b> [4] 48:9 50:15 51:11 53:23</p> <p><b>many</b> [8] 11:17 13:10 27:7 36:18,22 47:21 50:1 59:10</p> <p><b>massive</b> [1] 58:10</p> <p><b>matter</b> [2] 11:12 59:25</p> <p><b>matters</b> [4] 29:9,10 44:11, 12</p> <p><b>mature</b> [1] 30:11</p> <p><b>may</b> [5] 3:10 12:22 25:19 38:19 50:12</p> <p><b>maybe</b> [4] 32:1 37:13 39:16 61:15</p> <p><b>me</b> [17] 9:15 11:20 14:3 21:13,13 30:4,5 32:14 33:23 35:9 37:7 42:7,11 46:5 50:12 52:13 56:2</p> <p><b>mean</b> [11] 15:19 17:1,1,17 32:25 36:4,5 41:22 55:7 56:18 60:25</p> <p><b>meaning</b> [3] 21:12,23 62:11</p> <p><b>means</b> [5] 43:25 44:25 45:2 54:11 60:20</p> <p><b>meant</b> [1] 20:2</p> <p><b>medal</b> [2] 48:11,17</p> <p><b>mens</b> [25] 4:22 5:5,20,20 9:21,23 10:7,16,17 20:18,20 30:16 31:14 39:19 40:9 42:13 43:16 45:12,16,21,24 46:1,2 48:7 58:5</p> <p><b>mental</b> [18] 5:24 6:16,24 7:18,19 8:23 9:1,7,20 27:17 40:11,13 51:24 52:9 53:13 61:8,8,12</p> <p><b>mention</b> [1] 9:21</p> <p><b>mentioned</b> [1] 52:1</p> <p><b>messy</b> [1] 13:4</p> <p><b>might</b> [9] 12:11,12 25:3 29:3,21 46:10,11,17 52:4</p> <p><b>mind</b> [3] 19:11 48:2 59:8</p> <p><b>mine</b> [1] 55:20</p> <p><b>minerals</b> [1] 33:2</p> <p><b>minor</b> [1] 38:1</p> <p><b>minute</b> [1] 40:22</p> <p><b>minutes</b> [1] 62:18</p>	<p><b>miss-advice</b> [1] 63:8</p> <p><b>missed</b> [1] 38:5</p> <p><b>mistake</b> [15] 14:5 17:4 28:15,16,25 29:3,12 34:23,24 35:4,8,18 36:3 37:6 50:11</p> <p><b>mistaken</b> [3] 28:15 34:12 35:11</p> <p><b>mistakes</b> [2] 10:12 43:8</p> <p><b>misunderstood</b> [1] 34:25</p> <p><b>mode</b> [1] 49:19</p> <p><b>modified</b> [1] 62:1</p> <p><b>modifies</b> [1] 4:12</p> <p><b>months</b> [4] 19:2,2,2 55:15</p> <p><b>morally</b> [2] 37:5,8</p> <p><b>morals</b> [1] 37:12</p> <p><b>more</b> [15] 12:12 23:25,25 25:6 33:11,21,25 40:3 45:1, 2 48:21 53:4,4 54:23 62:1</p> <p><b>moreover</b> [1] 61:20</p> <p><b>morissette</b> [3] 28:19 30:7 59:18</p> <p><b>most</b> [6] 3:17 11:13 23:11 45:7 50:23 56:25</p> <p><b>moved</b> [1] 16:13</p> <p><b>mr</b> [100] 3:9 16:17 25:16,19, 19 26:11,24 27:2,14,22 28:1,22 29:1,6,12,16,20 30:2, 18,23 31:9,15,18 32:3,8,10, 21,24 33:20,25 34:17,22 35:7 36:6,24 37:4,9,14,21 38:12,17,20,24 39:2,11,16 40:15,23 41:7,10 42:7,11 43:6, 9,12,19,24 44:6,15,19,24 45:9,13,17 46:5 47:9,18,22, 25 48:5,19,22,25 49:8,21 50:4,15 51:5,9 53:6 54:18 55:3,5,10 56:1,4,23 57:2,6, 10,25 58:4,15 59:6,13,23 60:2,5,10 62:8</p> <p><b>ms</b> [62] 3:6,9 4:10 5:4,7,10 6:1,5,9,17,20 7:1,3,6,9,15, 21 8:2,4,11,19,25 9:9,22 10:5,18,20 11:15 12:3,16 13:8, 22 14:7,13,16 15:1,13,17, 21,24 16:4,11,22 17:3,11, 16,20 19:7,14,23 20:3 21:5, 15,24 22:22 23:4 24:5,22,</p>
--	--	--	--



<p>24 <b>25</b>:15 <b>62</b>:18,21  <b>much</b> [4] <b>23</b>:8 <b>39</b>:7 <b>53</b>:3,4  <b>must</b> [5] <b>3</b>:11 <b>4</b>:11 <b>6</b>:13 <b>22</b>:  15 <b>52</b>:13  <b>my</b> [13] <b>12</b>:23 <b>16</b>:20 <b>21</b>:12,  13 <b>27</b>:11 <b>32</b>:13 <b>34</b>:21 <b>50</b>:  17 <b>54</b>:22 <b>55</b>:13 <b>59</b>:16 <b>60</b>:  16,19</p> <hr/> <p style="text-align: center;"><b>N</b></p> <hr/> <p><b>n</b> [3] <b>3</b>:1 <b>47</b>:5 <b>52</b>:3  <b>naive</b> [1] <b>37</b>:10  <b>name</b> [1] <b>25</b>:9  <b>namely</b> [1] <b>51</b>:11  <b>name's</b> [1] <b>30</b>:6  <b>narrow</b> [1] <b>5</b>:11  <b>national</b> [1] <b>50</b>:18  <b>nationwide</b> [1] <b>26</b>:4  <b>naturally</b> [1] <b>45</b>:4  <b>nature</b> [3] <b>23</b>:20 <b>24</b>:11 <b>25</b>:  9  <b>navigate</b> [1] <b>12</b>:5  <b>nearly</b> [3] <b>12</b>:5 <b>23</b>:7 <b>53</b>:10  <b>necessarily</b> [3] <b>36</b>:20 <b>45</b>:  2 <b>47</b>:2  <b>necessary</b> [2] <b>30</b>:17 <b>39</b>:  19  <b>need</b> [5] <b>10</b>:23 <b>14</b>:4,22 <b>59</b>:  3,4  <b>needle</b> [1] <b>48</b>:2  <b>net</b> [1] <b>10</b>:11  <b>never</b> [2] <b>20</b>:10 <b>47</b>:14  <b>new</b> [3] <b>43</b>:16 <b>45</b>:18 <b>63</b>:20  <b>next</b> [3] <b>3</b>:4 <b>11</b>:1 <b>32</b>:16  <b>nine</b> [1] <b>9</b>:17  <b>ninety-five</b> [1] <b>35</b>:25  <b>no</b> [33] <b>5</b>:5,19,20 <b>6</b>:1,12,23,  23 <b>9</b>:19,20 <b>10</b>:16 <b>13</b>:17,24  <b>15</b>:1 <b>18</b>:11 <b>19</b>:9,13 <b>20</b>:12  <b>25</b>:10 <b>26</b>:17 <b>27</b>:8 <b>29</b>:12,15  <b>30</b>:9 <b>31</b>:13 <b>35</b>:14 <b>39</b>:21 <b>40</b>:  15 <b>43</b>:10 <b>46</b>:1 <b>48</b>:16 <b>50</b>:20  <b>59</b>:6 <b>62</b>:3  <b>nobody</b> [1] <b>36</b>:13  <b>non-immigrant</b> [1] <b>14</b>:18  <b>nor</b> [1] <b>25</b>:24  <b>normal</b> [2] <b>30</b>:13 <b>38</b>:3  <b>normally</b> [4] <b>24</b>:2 <b>34</b>:5 <b>45</b>:  4 <b>48</b>:1</p>	<p><b>nose</b> [1] <b>29</b>:8  <b>not</b> [97] <b>4</b>:9,18,25 <b>5</b>:22 <b>6</b>:10,  16,21 <b>7</b>:11,18,23 <b>8</b>:1,21 <b>9</b>:2,  2 <b>10</b>:11 <b>11</b>:1,3 <b>12</b>:5,19 <b>13</b>:  2,10 <b>15</b>:5,18 <b>16</b>:17 <b>17</b>:2 <b>18</b>:  25 <b>19</b>:6,11,11,22,24,24 <b>20</b>:  11 <b>21</b>:11,11 <b>24</b>:7,15 <b>25</b>:22  <b>27</b>:6,16,16,19,20 <b>28</b>:2 <b>29</b>:6  <b>30</b>:20 <b>31</b>:2,11 <b>32</b>:10,18,23  <b>33</b>:20 <b>34</b>:13 <b>35</b>:6 <b>36</b>:20 <b>39</b>:  4 <b>40</b>:17 <b>41</b>:10 <b>44</b>:4,15,22  <b>46</b>:11,17 <b>48</b>:2,5,20 <b>49</b>:20  <b>50</b>:5 <b>51</b>:9,14,21 <b>52</b>:9,18,19  <b>53</b>:6,11,25 <b>54</b>:9 <b>55</b>:8,10,14,  21 <b>56</b>:5,7,23,25 <b>57</b>:3 <b>58</b>:13  <b>60</b>:11,17 <b>62</b>:2,11 <b>63</b>:5,12,  14 <b>64</b>:6,9  <b>notice</b> [10] <b>22</b>:24 <b>28</b>:8 <b>42</b>:  15,22 <b>46</b>:22 <b>51</b>:13 <b>53</b>:21,24  <b>59</b>:23 <b>61</b>:16  <b>notion</b> [1] <b>30</b>:10  <b>notoriously</b> [1] <b>35</b>:7  <b>now</b> [12] <b>11</b>:19 <b>15</b>:6 <b>16</b>:23  <b>38</b>:10,11 <b>47</b>:14,17 <b>54</b>:2 <b>57</b>:  1,24 <b>59</b>:11 <b>64</b>:7  <b>number</b> [6] <b>12</b>:11,13 <b>13</b>:7  <b>55</b>:22 <b>59</b>:15 <b>63</b>:6</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p><b>o</b> [1] <b>3</b>:1  <b>object</b> [1] <b>4</b>:13  <b>obligation</b> [1] <b>28</b>:11  <b>offense</b> [12] <b>8</b>:9,10 <b>12</b>:20  <b>23</b>:17 <b>24</b>:11 <b>25</b>:6,9 <b>28</b>:21  <b>33</b>:8 <b>45</b>:21 <b>55</b>:12 <b>58</b>:6  <b>offenses</b> [4] <b>31</b>:10 <b>37</b>:24  <b>38</b>:1 <b>54</b>:7  <b>offer</b> [1] <b>24</b>:18  <b>offering</b> [1] <b>23</b>:19  <b>officer</b> [1] <b>14</b>:24  <b>often</b> [2] <b>52</b>:18 <b>54</b>:18  <b>oh</b> [1] <b>29</b>:18  <b>okay</b> [5] <b>9</b>:5 <b>29</b>:18 <b>33</b>:22  <b>43</b>:20 <b>57</b>:17  <b>old</b> [5] <b>24</b>:5 <b>45</b>:18 <b>47</b>:13,14,  16  <b>omissions</b> [3] <b>33</b>:7,9 <b>61</b>:1  <b>on</b> [49] <b>3</b>:8 <b>10</b>:3,14 <b>11</b>:11  <b>12</b>:20 <b>14</b>:14,14,18 <b>15</b>:10,10</p>	<p><b>16</b>:6,15 <b>17</b>:7,15 <b>18</b>:3,21 <b>21</b>:  18 <b>25</b>:18 <b>28</b>:8 <b>30</b>:6 <b>33</b>:10,  18 <b>41</b>:21 <b>42</b>:15,22 <b>49</b>:11,14,  18,18 <b>50</b>:5,11 <b>51</b>:13 <b>52</b>:13,  21,24 <b>53</b>:7,20,24 <b>54</b>:1,5 <b>55</b>:  24 <b>56</b>:5,22 <b>57</b>:3,9 <b>61</b>:16 <b>62</b>:  10,20 <b>63</b>:15  <b>once</b> [2] <b>12</b>:6 <b>29</b>:7  <b>one</b> [32] <b>3</b>:11 <b>4</b>:2 <b>7</b>:14 <b>13</b>:  25 <b>16</b>:12 <b>18</b>:7,11 <b>19</b>:2 <b>21</b>:3  <b>25</b>:7 <b>27</b>:8 <b>32</b>:19 <b>40</b>:12,12  <b>44</b>:16,20,21 <b>45</b>:1,3,24 <b>46</b>:  15,25 <b>50</b>:13,14,22 <b>51</b>:8 <b>52</b>:  17 <b>53</b>:11 <b>54</b>:22,23 <b>55</b>:19  <b>57</b>:22  <b>ones</b> [1] <b>31</b>:19  <b>one's</b> [3] <b>41</b>:24 <b>44</b>:21,22  <b>only</b> [16] <b>3</b>:19 <b>5</b>:12 <b>9</b>:13 <b>12</b>:  12 <b>16</b>:4,7,11 <b>20</b>:9 <b>27</b>:23 <b>30</b>:  8,20 <b>46</b>:9 <b>49</b>:11 <b>55</b>:15 <b>63</b>:1,  22  <b>opinion</b> [1] <b>49</b>:13  <b>opinions</b> [1] <b>41</b>:23  <b>opportunity</b> [2] <b>17</b>:3 <b>46</b>:  23  <b>or</b> [62] <b>4</b>:3,17 <b>10</b>:11,24 <b>12</b>:  19 <b>13</b>:2,15,25 <b>14</b>:20,24 <b>17</b>:  2 <b>18</b>:9,12 <b>19</b>:19,22 <b>20</b>:13  <b>21</b>:3,20 <b>22</b>:6,14,16,18,23  <b>23</b>:13 <b>25</b>:5,25 <b>26</b>:14,16,20  <b>27</b>:10,16,17 <b>28</b>:3,7,13,17  <b>30</b>:9 <b>33</b>:7,9,15 <b>34</b>:8,12 <b>37</b>:  14 <b>38</b>:16 <b>39</b>:23 <b>41</b>:13 <b>42</b>:  15 <b>43</b>:2 <b>45</b>:25 <b>46</b>:11 <b>51</b>:13,  14 <b>52</b>:24 <b>53</b>:18 <b>54</b>:21 <b>57</b>:  20 <b>59</b>:3 <b>60</b>:13 <b>61</b>:1,8 <b>63</b>:12,  14  <b>oral</b> [2] <b>3</b>:7 <b>25</b>:17  <b>order</b> [9] <b>10</b>:10 <b>22</b>:12,15,  25 <b>23</b>:3,5 <b>44</b>:10 <b>46</b>:17,20  <b>orders</b> [1] <b>46</b>:18  <b>ordinarily</b> [1] <b>3</b>:16  <b>other</b> [15] <b>4</b>:15 <b>8</b>:10 <b>17</b>:5  <b>22</b>:3 <b>31</b>:22 <b>32</b>:12 <b>41</b>:25 <b>42</b>:  10 <b>46</b>:24 <b>47</b>:21 <b>50</b>:12 <b>51</b>:  16 <b>54</b>:5 <b>57</b>:22 <b>64</b>:8  <b>others</b> [2] <b>42</b>:6 <b>45</b>:25  <b>otherwise</b> [7] <b>3</b>:13 <b>4</b>:18,</p>	<p><b>23</b> <b>5</b>:15 <b>10</b>:1 <b>16</b>:20 <b>27</b>:19  <b>our</b> [16] <b>5</b>:13 <b>10</b>:16,18 <b>16</b>:  11 <b>19</b>:7 <b>28</b>:1,5 <b>48</b>:8 <b>51</b>:18  <b>56</b>:1,4,8,13 <b>57</b>:18 <b>60</b>:22 <b>63</b>:  25  <b>out</b> [25] <b>5</b>:10 <b>6</b>:3,8 <b>11</b>:22 <b>12</b>:  13 <b>16</b>:14,24 <b>17</b>:7 <b>18</b>:6,12,  14 <b>20</b>:9 <b>27</b>:17 <b>35</b>:8,19 <b>42</b>:  23 <b>47</b>:1 <b>49</b>:5 <b>56</b>:9,10 <b>58</b>:6  <b>60</b>:18,23 <b>62</b>:22 <b>63</b>:18  <b>outweigh</b> [1] <b>24</b>:13  <b>over</b> [1] <b>45</b>:15  <b>overcome</b> [2] <b>13</b>:11 <b>50</b>:2  <b>override</b> [1] <b>45</b>:22  <b>overstated</b> [1] <b>62</b>:24  <b>overstatement</b> [1] <b>52</b>:20  <b>overstayed</b> [2] <b>36</b>:8 <b>57</b>:23  <b>overstays</b> [3] <b>36</b>:5 <b>47</b>:8,  11  <b>own</b> [12] <b>9</b>:8 <b>25</b>:24 <b>26</b>:2 <b>46</b>:  12 <b>47</b>:4 <b>51</b>:20 <b>53</b>:10,24 <b>54</b>:  9 <b>60</b>:12,19 <b>61</b>:4  <b>owners</b> [1] <b>10</b>:10  <b>owners'</b> [1] <b>25</b>:21</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>p</b> [1] <b>3</b>:1  <b>p.m</b> [2] <b>3</b>:2 <b>64</b>:16  <b>pardon</b> [1] <b>26</b>:11  <b>parents</b> [3] <b>20</b>:7 <b>21</b>:12 <b>47</b>:  13  <b>parsing</b> [1] <b>49</b>:14  <b>part</b> [6] <b>23</b>:11 <b>27</b>:18 <b>36</b>:22  <b>38</b>:15,18 <b>39</b>:13  <b>parte</b> [1] <b>46</b>:19  <b>participate</b> [1] <b>46</b>:23  <b>particular</b> [1] <b>61</b>:12  <b>partner</b> [2] <b>22</b>:14,18  <b>party</b> [2] <b>24</b>:2,3  <b>past</b> [2] <b>20</b>:19 <b>62</b>:25  <b>paternalistically</b> [1] <b>59</b>:4  <b>penalty</b> [2] <b>53</b>:5 <b>55</b>:16  <b>people</b> [16] <b>9</b>:18 <b>11</b>:17,25  <b>12</b>:11,13,25 <b>13</b>:11 <b>24</b>:16  <b>26</b>:22 <b>28</b>:5 <b>43</b>:8 <b>51</b>:13 <b>54</b>:4  <b>57</b>:22 <b>58</b>:7 <b>59</b>:10  <b>percent</b> [5] <b>13</b>:23 <b>34</b>:8,8  <b>35</b>:25 <b>54</b>:3  <b>percentage</b> [1] <b>13</b>:19</p>
---	---	---	--

<p><b>perhaps</b> [4] 24:15 27:5 48:4,6</p> <p><b>persistent</b> [1] 30:11</p> <p><b>person</b> [30] 3:19 4:11 19:5, 16,22 20:12 21:15 22:2,13 23:16 24:1,19 33:18,24 34:15 36:5,19 39:24 40:4,4 46:21,22 47:7,10,12 48:16 52:6 57:16 58:2 59:2</p> <p><b>person's</b> [2] 35:5 52:19</p> <p><b>petitioner</b> [3] 3:8 35:11 62:20</p> <p><b>petitioners</b> [1] 40:19</p> <p><b>petitioner's</b> [1] 44:7</p> <p><b>phrase</b> [1] 32:24</p> <p><b>physical</b> [2] 22:14,17</p> <p><b>place</b> [5] 10:10 38:3 45:15 51:2 64:4</p> <p><b>placed</b> [1] 13:12</p> <p><b>plain</b> [3] 10:23 11:1 64:1</p> <p><b>plea</b> [2] 13:20 45:8</p> <p><b>plead</b> [1] 54:5</p> <p><b>pleading</b> [1] 21:2</p> <p><b>pleas</b> [1] 13:24</p> <p><b>please</b> [3] 3:10 25:20 36:1</p> <p><b>point</b> [13] 15:20 16:2 18:12 40:7 45:10,15 50:16,17 51:11 54:22 56:1,8 62:22</p> <p><b>pointed</b> [1] 46:25</p> <p><b>posited</b> [1] 15:3</p> <p><b>position</b> [6] 11:9 19:5,7 29:25 30:1 34:21</p> <p><b>possess</b> [4] 18:4 31:12 35:13,14</p> <p><b>possessed</b> [1] 20:13</p> <p><b>possesses</b> [2] 26:7 33:17</p> <p><b>possessing</b> [3] 27:20 28:2 44:8</p> <p><b>possession</b> [10] 3:13,17, 21 9:15,17 11:13,25 53:10 55:14 63:23</p> <p><b>possibly</b> [2] 35:1,2</p> <p><b>potential</b> [1] 55:16</p> <p><b>potentially</b> [1] 30:22</p> <p><b>power</b> [3] 5:12 6:21 9:3</p> <p><b>practical</b> [8] 11:12 13:9,9 51:4 54:2 56:21 57:7 63:12</p> <p><b>practically</b> [2] 21:25 54:</p>	<p>14</p> <p><b>practice</b> [1] 54:13</p> <p><b>precedent</b> [2] 4:20,22</p> <p><b>precedes</b> [2] 32:2,3</p> <p><b>predecessor</b> [1] 49:15</p> <p><b>preeminent</b> [1] 49:20</p> <p><b>prejudice</b> [2] 12:7 24:13</p> <p><b>preponderance</b> [1] 29:17</p> <p><b>present</b> [1] 50:3</p> <p><b>presumably</b> [4] 40:15 50:21 60:13 61:23</p> <p><b>presume</b> [2] 40:2 51:12</p> <p><b>presumed</b> [1] 42:14</p> <p><b>presumes</b> [1] 11:4</p> <p><b>presumption</b> [7] 27:13 30:16 31:11,21 44:2 45:20, 23</p> <p><b>presumptions</b> [4] 10:24 11:2,2 20:18</p> <p><b>pretty</b> [2] 26:19 37:13</p> <p><b>prevail</b> [1] 11:17</p> <p><b>prevailing</b> [1] 13:17</p> <p><b>prevent</b> [1] 40:11</p> <p><b>previously</b> [1] 24:20</p> <p><b>prior</b> [6] 49:10,12,25 55:12 58:20 64:6</p> <p><b>prison</b> [8] 20:14 23:13,13 33:24 34:15 36:11 58:2 59:11</p> <p><b>probative</b> [4] 24:11,12,12 25:8</p> <p><b>problem</b> [9] 34:4 35:3 40:19 54:2 57:2 60:4 61:21 63:5,7</p> <p><b>problems</b> [1] 52:25</p> <p><b>procedural</b> [2] 12:8 13:12</p> <p><b>proceeding</b> [1] 12:6</p> <p><b>produce</b> [1] 27:5</p> <p><b>produces</b> [1] 61:7</p> <p><b>product</b> [1] 44:18</p> <p><b>program</b> [1] 21:13</p> <p><b>prohibit</b> [2] 22:16 23:19</p> <p><b>prohibited</b> [4] 23:18 26:6 39:25 41:16</p> <p><b>prohibition</b> [2] 60:24 61:2</p> <p><b>proof</b> [3] 25:23 51:24 53:12</p>	<p><b>property</b> [3] 59:20,21 60:8</p> <p><b>prosecuted</b> [2] 23:7 50:23</p> <p><b>prosecution</b> [5] 23:16,18, 20 24:17 53:1</p> <p><b>prosecutions</b> [3] 35:20 49:3 62:23</p> <p><b>prosecutor</b> [2] 24:7,10</p> <p><b>prosecutor's</b> [1] 24:6</p> <p><b>protected</b> [2] 3:18 30:22</p> <p><b>protection</b> [1] 25:21</p> <p><b>prove</b> [19] 13:1,2,3 14:11 16:17 20:24 21:23 23:16 24:4,18,19 31:5 34:10 42:1, 20 51:15,17 55:20 63:21</p> <p><b>proved</b> [1] 21:25</p> <p><b>proven</b> [5] 22:20 29:16 30:3 42:16 54:11</p> <p><b>provincial</b> [1] 30:9</p> <p><b>proving</b> [2] 23:20 57:19</p> <p><b>provision</b> [6] 27:7 31:24 39:22 41:19 43:25 61:17</p> <p><b>provisions</b> [1] 4:14</p> <p><b>punish</b> [1] 21:9</p> <p><b>punishable</b> [4] 25:6 45:1, 2 54:22</p> <p><b>purchases</b> [1] 40:5</p> <p><b>purchasing</b> [2] 39:25 40:4</p> <p><b>purpose</b> [4] 5:3 10:9 58:1 64:3</p> <p><b>pursue</b> [2] 12:2,4</p> <p><b>put</b> [11] 5:2 9:11,16 21:12, 13 28:17 31:3 34:15 45:24 46:1 47:4</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <hr/> <p><b>question</b> [15] 11:8,11 16:20 19:8,9 27:12 32:13 33:18 34:1 38:5 39:17 49:1 52:18 53:1 55:24</p> <p><b>questions</b> [2] 25:11 62:3</p> <p><b>quite</b> [1] 36:8</p> <p><b>quote</b> [1] 33:9</p> <hr/> <p style="text-align: center;"><b>R</b></p> <hr/> <p><b>r</b> [1] 3:1</p> <p><b>raise</b> [3] 35:18 62:14,15</p> <p><b>raised</b> [2] 27:9 29:14</p>	<p><b>range</b> [2] 17:7 18:7</p> <p><b>rape</b> [2] 24:20 42:19</p> <p><b>rare</b> [1] 54:8</p> <p><b>rather</b> [1] 63:15</p> <p><b>rea</b> [24] 4:22 5:5,20 9:21,23 10:7,16,17 20:18,21 30:16 31:14 39:19 40:9 42:13 43:17 45:12,16,21,24 46:1,2 48:8 58:5</p> <p><b>reach</b> [3] 12:6 16:9 59:9</p> <p><b>reaching</b> [1] 52:15</p> <p><b>read</b> [9] 11:4,23 14:22,25 27:16,17 41:22 48:7 60:25</p> <p><b>reading</b> [1] 63:25</p> <p><b>reads</b> [1] 5:1</p> <p><b>really</b> [8] 8:7 10:3 19:21 20:2 35:23 42:14 49:12 55:23</p> <p><b>reason</b> [11] 8:20 9:6 13:24 18:22,24 19:12,15,21 34:2 42:18 49:2</p> <p><b>reasonable</b> [7] 4:3 17:4 22:5,6 39:24 42:17 43:17</p> <p><b>reasonably</b> [5] 22:18 40:23 46:11,12 61:15</p> <p><b>reasons</b> [1] 64:12</p> <p><b>rebuttal</b> [1] 62:19</p> <p><b>received</b> [4] 23:6 46:22 54:24 55:12</p> <p><b>recently</b> [1] 33:11</p> <p><b>recipients</b> [1] 43:14</p> <p><b>recklessly</b> [2] 26:1 60:19</p> <p><b>recognized</b> [2] 28:16 29:2</p> <p><b>recordkeeping</b> [1] 38:2</p> <p><b>recreate</b> [1] 29:23</p> <p><b>redesign</b> [1] 49:2</p> <p><b>reference</b> [1] 61:1</p> <p><b>references</b> [1] 50:6</p> <p><b>referring</b> [1] 56:15</p> <p><b>reflects</b> [1] 26:3</p> <p><b>regarding</b> [1] 13:15</p> <p><b>regardless</b> [1] 63:2</p> <p><b>regulation</b> [1] 33:5</p> <p><b>regulatory</b> [2] 33:8 60:24</p> <p><b>rehaif</b> [2] 3:4 16:17</p> <p><b>reinterpret</b> [1] 58:5</p> <p><b>related</b> [2] 6:11 22:25</p> <p><b>relates</b> [2] 5:12 9:25</p> <p><b>relatively</b> [1] 38:1</p>
---	--	--	--

<p><b>relevant</b> <sup>[4]</sup> 18:1,18 33:25 53:14</p> <p><b>relied</b> <sup>[1]</sup> 33:10</p> <p><b>relief</b> <sup>[2]</sup> 12:12 13:13</p> <p><b>relieves</b> <sup>[1]</sup> 63:21</p> <p><b>rely</b> <sup>[2]</sup> 49:14 50:5</p> <p><b>remain</b> <sup>[3]</sup> 15:11 26:1 60:18</p> <p><b>remember</b> <sup>[1]</sup> 60:16</p> <p><b>remembered</b> <sup>[1]</sup> 55:15</p> <p><b>represents</b> <sup>[1]</sup> 22:13</p> <p><b>require</b> <sup>[9]</sup> 10:17,17 22:4 37:14 42:19 46:7 51:21,24 61:12</p> <p><b>required</b> <sup>[7]</sup> 3:20 28:18,20 37:25 40:12,14 50:20</p> <p><b>requirement</b> <sup>[17]</sup> 3:15 4:7 5:21 6:12 7:19 8:23 9:7 11:24 37:23 38:3,6 39:4 40:21 41:14,19 47:6 61:7</p> <p><b>requirements</b> <sup>[4]</sup> 4:16 14:19,20 48:8</p> <p><b>requires</b> <sup>[2]</sup> 33:6 53:12</p> <p><b>requiring</b> <sup>[1]</sup> 25:22</p> <p><b>reserve</b> <sup>[1]</sup> 25:11</p> <p><b>resolve</b> <sup>[1]</sup> 45:8</p> <p><b>respect</b> <sup>[8]</sup> 19:14 31:25 39:19 51:25 52:16 53:13 56:14 61:12</p> <p><b>respectfully</b> <sup>[4]</sup> 6:2 10:22 58:4 63:11</p> <p><b>respondent</b> <sup>[1]</sup> 25:18</p> <p><b>rest</b> <sup>[3]</sup> 25:12 49:18 52:13</p> <p><b>resting</b> <sup>[1]</sup> 54:1</p> <p><b>restraining</b> <sup>[7]</sup> 22:12,24 23:3,5 46:17,18,20</p> <p><b>result</b> <sup>[1]</sup> 59:9</p> <p><b>results</b> <sup>[1]</sup> 27:5</p> <p><b>reverse</b> <sup>[2]</sup> 62:6 64:13</p> <p><b>review</b> <sup>[2]</sup> 62:7,10</p> <p><b>revoke</b> <sup>[1]</sup> 14:24</p> <p><b>revolutionize</b> <sup>[1]</sup> 50:22</p> <p><b>ridiculous</b> <sup>[2]</sup> 55:8,10</p> <p><b>right</b> <sup>[29]</sup> 6:18 7:1,2,5 8:3,10 10:19 11:12,16 14:21 19:18 34:7,14 35:14 36:6 37:2 38:8,20 43:7,20 45:9,15,17 48:19,22 55:17 59:23</p>	<p>60:2,5</p> <p><b>risk</b> <sup>[2]</sup> 35:22 56:8</p> <p><b>rob</b> <sup>[1]</sup> 30:6</p> <p><b>robbery</b> <sup>[1]</sup> 24:20</p> <p><b>robert</b> <sup>[1]</sup> 30:6</p> <p><b>roberts</b> <sup>[9]</sup> 3:3 12:15,18 17:14,17 25:13,16 62:16 64:14</p> <p><b>robs</b> <sup>[1]</sup> 48:11</p> <p><b>rosemary</b> <sup>[2]</sup> 3:7 62:19</p> <p><b>routinely</b> <sup>[1]</sup> 53:18</p> <p><b>rule</b> <sup>[6]</sup> 36:13 41:2 51:2 52:12 63:20,20</p> <p><b>rules</b> <sup>[1]</sup> 38:16</p> <p><b>run</b> <sup>[2]</sup> 52:25 55:21</p> <hr/> <p style="text-align: center;"><b>S</b></p> <hr/> <p><b>s</b> <sup>[1]</sup> 3:1</p> <p><b>safe</b> <sup>[1]</sup> 25:25</p> <p><b>safety</b> <sup>[1]</sup> 22:14</p> <p><b>said</b> <sup>[13]</sup> 3:25 11:20 15:11 17:24 33:6 34:13 35:5 37:1 38:22 39:1,1,3 44:8</p> <p><b>same</b> <sup>[12]</sup> 3:24 22:1 33:1,10 40:17 41:22 42:24 44:1 47:19 52:10 53:23 54:1</p> <p><b>saw</b> <sup>[1]</sup> 60:4</p> <p><b>say</b> <sup>[15]</sup> 7:5,7,14 8:17 11:19,23 52:20 54:21 55:11,13 56:20 57:21 60:15 62:5 63:10</p> <p><b>saying</b> <sup>[2]</sup> 10:15 29:19</p> <p><b>says</b> <sup>[7]</sup> 4:1 8:23 21:7 35:11 36:10,13 63:13</p> <p><b>school</b> <sup>[9]</sup> 15:23 16:3,24 17:2,8 18:22,23 19:1 26:16</p> <p><b>seal</b> <sup>[1]</sup> 47:1</p> <p><b>second</b> <sup>[3]</sup> 15:7 44:13,16</p> <p><b>section</b> <sup>[1]</sup> 13:22</p> <p><b>sections</b> <sup>[1]</sup> 45:12</p> <p><b>see</b> <sup>[2]</sup> 47:17 51:23</p> <p><b>seem</b> <sup>[3]</sup> 20:23 50:13 56:12</p> <p><b>seems</b> <sup>[5]</sup> 48:15 49:14 50:12 52:13 56:2</p> <p><b>self-evident</b> <sup>[2]</sup> 26:20,21</p> <p><b>selling</b> <sup>[2]</sup> 4:2 52:7</p> <p><b>send</b> <sup>[1]</sup> 58:2</p> <p><b>sense</b> <sup>[4]</sup> 3:16,19 4:21 34:</p>	<p>8</p> <p><b>sentence</b> <sup>[2]</sup> 54:25 55:13</p> <p><b>sentencing</b> <sup>[1]</sup> 62:25</p> <p><b>separate</b> <sup>[3]</sup> 31:24 33:8 43:25</p> <p><b>separates</b> <sup>[1]</sup> 30:20</p> <p><b>separating</b> <sup>[1]</sup> 60:23</p> <p><b>series</b> <sup>[1]</sup> 21:1</p> <p><b>serious</b> <sup>[6]</sup> 23:24,25 25:6 36:11 53:4,4</p> <p><b>served</b> <sup>[1]</sup> 58:2</p> <p><b>serving</b> <sup>[1]</sup> 59:11</p> <p><b>set</b> <sup>[1]</sup> 22:10</p> <p><b>several</b> <sup>[1]</sup> 4:14</p> <p><b>she</b> <sup>[1]</sup> 33:15</p> <p><b>shifting</b> <sup>[2]</sup> 56:8 58:16</p> <p><b>shot</b> <sup>[1]</sup> 18:7</p> <p><b>should</b> <sup>[10]</sup> 3:20 4:8 17:8 21:1 33:23 37:11,12,13 42:16 50:8</p> <p><b>shouldn't</b> <sup>[3]</sup> 11:11 43:21 58:25</p> <p><b>show</b> <sup>[4]</sup> 15:14 22:2 39:5 62:10</p> <p><b>shown</b> <sup>[1]</sup> 12:8</p> <p><b>shows</b> <sup>[3]</sup> 23:10 53:15,22</p> <p><b>side</b> <sup>[2]</sup> 16:12 49:18</p> <p><b>significant</b> <sup>[3]</sup> 12:13 55:22 63:6</p> <p><b>significantly</b> <sup>[1]</sup> 13:25</p> <p><b>silent</b> <sup>[3]</sup> 5:2 9:23 48:7</p> <p><b>similar</b> <sup>[1]</sup> 52:15</p> <p><b>simple</b> <sup>[1]</sup> 12:5</p> <p><b>simply</b> <sup>[1]</sup> 9:2</p> <p><b>since</b> <sup>[1]</sup> 30:6</p> <p><b>single</b> <sup>[3]</sup> 19:3 30:3 53:11</p> <p><b>sir</b> <sup>[4]</sup> 7:3,6 8:2,4</p> <p><b>situation</b> <sup>[3]</sup> 16:11 20:5 52:25</p> <p><b>situations</b> <sup>[1]</sup> 36:18</p> <p><b>six</b> <sup>[1]</sup> 62:18</p> <p><b>skip</b> <sup>[1]</sup> 9:13</p> <p><b>slim</b> <sup>[1]</sup> 13:17</p> <p><b>small</b> <sup>[5]</sup> 12:12 49:8 55:22 56:11 63:6</p> <p><b>so</b> <sup>[88]</sup> 3:19 4:4,8,24 5:8 6:18 8:24 9:5 10:2,23 11:21 12:10,22 13:6 14:9 15:5,9,</p>	<p>18 16:8 18:6 22:11,20 24:17 26:16,24 28:10,15,24 29:18,22,24,24 30:23 31:15,17,18 32:8,24 33:20 34:9 35:7,24 36:6,14,25 37:4,18,19 38:8,24 39:2,15,16,16 40:2,7 41:7,10,16 42:4,7,10,11 43:21 44:6 46:19 47:2,3,9 48:13,20 50:3 52:23 53:6 54:14,18 55:15,18,18 56:4,4 57:2,11,13,25 59:18 62:2,8</p> <p><b>so-called</b> <sup>[1]</sup> 52:12</p> <p><b>solely</b> <sup>[1]</sup> 9:3</p> <p><b>some</b> <sup>[12]</sup> 15:19 16:2 30:16 31:20,20 35:4 39:19 42:4 46:18 51:12,24 54:17</p> <p><b>someone</b> <sup>[15]</sup> 18:20 19:15 21:9,11,11 23:14 28:10 33:4 37:5 46:10,16,24 52:5 53:20 61:15</p> <p><b>something</b> <sup>[12]</sup> 5:15,16 7:12 27:19 40:24 45:3 50:25 54:10 55:14 60:12 61:24 64:5</p> <p><b>sometimes</b> <sup>[5]</sup> 36:4 38:14 55:5,6 56:6</p> <p><b>somewhat</b> <sup>[1]</sup> 62:24</p> <p><b>somewhere</b> <sup>[1]</sup> 14:23</p> <p><b>sorry</b> <sup>[7]</sup> 7:15 15:21 35:2 36:1 50:15,16 51:6</p> <p><b>sort</b> <sup>[1]</sup> 58:22</p> <p><b>sorts</b> <sup>[2]</sup> 61:7 63:17</p> <p><b>sotomayor</b> <sup>[26]</sup> 11:5,7 14:2,8,14,21 15:9,14,18,22 16:1,5,19,25 20:23 21:6,22 26:9,12,25 27:11,15,23 40:22,25 41:8</p> <p><b>sought</b> <sup>[1]</sup> 21:10</p> <p><b>speak</b> <sup>[1]</sup> 42:11</p> <p><b>speaking</b> <sup>[3]</sup> 21:25 37:5,8</p> <p><b>specific</b> <sup>[7]</sup> 14:19 33:7,9 39:7 41:8 61:1,17</p> <p><b>specifically</b> <sup>[1]</sup> 16:16</p> <p><b>specified</b> <sup>[2]</sup> 41:13 46:19</p> <p><b>specify</b> <sup>[1]</sup> 41:17</p> <p><b>staples</b> <sup>[1]</sup> 27:13</p> <p><b>start</b> <sup>[2]</sup> 31:11 58:19</p>
---	---	--	--

<p><b>started</b> [2] 21:19 45:20  <b>state</b> [8] 31:20 51:24 52:9 53:2,8,10,13 61:12  <b>statement</b> [1] 46:3  <b>states</b> [9] 3:5 4:10 28:12 42:25 44:10 53:16,23 61:8,8  <b>status</b> [54] 3:14,21 4:5 6:22 9:8 11:24 12:17 13:16 16:18 17:19 18:16 20:21,24 21:7 24:9 25:24 26:6,17,19 28:7,9 30:25 31:6 33:16 34:12 38:23 39:19 40:1 41:16 42:12 44:17 45:3 46:8,13 50:20 51:8,18,20,25 52:6,16,19 53:13,24 54:10 60:9,11,12,20 61:4,16 62:12 63:24 64:1  <b>statute</b> [22] 3:24 4:25 5:3 9:10,20,22 10:4,14 19:6 26:5 33:4 38:7 39:9 40:10 48:8 49:16,25 50:3 59:12 62:24 63:17 64:7  <b>statutes</b> [5] 22:3 45:11,18,19 64:2  <b>statute's</b> [1] 10:21  <b>statutory</b> [2] 42:19 64:3  <b>stay</b> [1] 36:11  <b>step</b> [3] 11:1 25:22 39:17  <b>still</b> [3] 4:17 10:17 18:2  <b>stipulate</b> [5] 23:19 24:3,8,10,19  <b>stop</b> [1] 33:23  <b>stopped</b> [4] 15:16,23 16:3 18:10  <b>story</b> [1] 16:12  <b>strands</b> [1] 60:22  <b>strict</b> [1] 31:10  <b>stronger</b> [1] 24:6  <b>structure</b> [3] 9:10 10:21,22  <b>structured</b> [1] 53:17  <b>student</b> [14] 14:15,18 15:11,12,16 16:6 17:2,19 18:2,21 19:1,12,13 26:14  <b>stuff</b> [1] 13:4  <b>sub</b> [1] 32:11  <b>subject</b> [5] 20:14 33:24 46:</p>	<p>16,25 53:1  <b>subjective</b> [1] 25:23  <b>submit</b> [3] 6:2 10:22 63:11  <b>submitted</b> [2] 64:15,17  <b>subparagraph</b> [1] 22:9  <b>subsection</b> [8] 33:12 39:22 41:13 46:15 47:4,5 52:3,10  <b>subsections</b> [4] 40:17 52:1,2 61:9  <b>substance</b> [1] 21:8  <b>substantial</b> [1] 13:7  <b>substantive</b> [8] 5:14 9:4,24 10:8 32:9 43:22 44:5,14  <b>such</b> [6] 22:17 33:5 37:1 46:21,22 48:8  <b>sudden</b> [3] 26:15 41:4 58:18  <b>suddenly</b> [1] 48:17  <b>suggest</b> [1] 17:18  <b>summary</b> [1] 34:21  <b>superseded</b> [1] 49:25  <b>support</b> [1] 22:7  <b>supported</b> [2] 10:20 18:9  <b>supports</b> [2] 10:6,8  <b>suppose</b> [7] 12:19 18:20 34:6,7 39:13,14,14  <b>supposed</b> [1] 63:9  <b>supreme</b> [2] 11:19 37:1  <b>sure</b> [17] 19:4 27:2,14 29:1 32:21 33:20 34:22 36:8,24 38:12,17,24 39:11 45:13 47:22 53:6 62:8  <b>sword</b> [1] 56:3  <b>sympathy</b> [2] 56:8,13  <b>system</b> [1] 57:19  <b>systems</b> [1] 30:11</p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p><b>t</b> [2] 3:7 62:19  <b>tablets</b> [1] 49:11  <b>tail</b> [3] 58:8,9,10  <b>take</b> [3] 4:1 20:5 25:22  <b>taking</b> [2] 17:14 21:19  <b>talk</b> [1] 49:9  <b>talked</b> [3] 43:11 52:2,3  <b>talking</b> [7] 5:14 30:20 42:2 53:9 54:5 58:19 60:10  <b>targeted</b> [2] 7:10,11</p>	<p><b>technical</b> [1] 39:15  <b>tell</b> [2] 14:3 32:14  <b>tells</b> [1] 40:8  <b>ten</b> [1] 58:2  <b>tend</b> [1] 48:7  <b>tent</b> [1] 29:8  <b>terms</b> [2] 22:15 45:16  <b>terrible</b> [1] 50:11  <b>test</b> [1] 27:3  <b>texas</b> [1] 47:17  <b>text</b> [6] 10:3,6,14,21,22 40:8  <b>textual</b> [3] 46:6 50:4 60:22  <b>textually</b> [1] 41:11  <b>than</b> [10] 12:9,22,22 25:7 40:4 45:1,3 54:23 58:8 62:1  <b>thank</b> [8] 3:9 8:11 25:13,15 62:16,21 64:13,14  <b>that's</b> [34] 7:10 8:14 11:16 13:25 15:5,16 16:6 17:13 20:2 24:14,23 27:19,22 28:1 37:15 40:6,7 45:9,14,17,19 48:3,6 49:17,19,20,21,25 52:8 56:18 57:17 58:8 63:11,18  <b>their</b> [14] 12:16,17 13:15,16 20:7,8 26:2 27:1 28:6 46:12 53:13,17 59:3 61:16  <b>them</b> [7] 20:20 21:3,19 46:14 53:12 56:25 63:2  <b>themselves</b> [1] 40:5  <b>then</b> [25] 10:2 11:17,25 13:8 18:7 19:24 22:15 23:23 24:10,15,17 25:8 29:8 30:1 33:17,22,23 38:5 42:11 47:7 55:19 56:24 57:8 59:3,8  <b>theory</b> [2] 5:19 7:17  <b>there</b> [54] 3:24 4:9,18 5:5 9:6,9,19 10:16 11:3 12:3,12,13 13:22 17:3,18,23,24 19:1 21:4 22:11 23:23 28:5 29:20,20,20 31:19 32:10 33:3,23 34:10 35:4,14 36:3,18 38:23 39:18 40:10 41:11,14,17 43:19 45:25 46:9 50:17,20 51:12,16 55:22 57:21 59:25 62:3 63:7,7 64:7</p>	<p><b>therefore</b> [2] 28:4 55:24  <b>thereof</b> [1] 26:20  <b>there's</b> [17] 4:4 5:19 6:12 13:8,24 21:1 24:18 28:24,25 29:19 36:10,12 42:18 43:16 51:6 63:1,4  <b>these</b> [6] 11:13 34:19 42:4 44:22 45:7 57:1  <b>they</b> [27] 9:11,13,15 13:3,5,14 15:14 19:4 20:10 21:10,13,17,17,18,18,19 28:8 33:20 34:25 36:22 39:6 43:6 46:12 55:5,6 56:11 63:18  <b>they're</b> [11] 13:2 20:8,11 26:17 28:11,12,15 39:13,14,15 60:8  <b>they've</b> [1] 47:14  <b>thing</b> [13] 13:1 19:3 30:20 36:21,21 38:7 39:10,12 41:25 51:14,19 54:15,20  <b>things</b> [6] 22:21 38:1 41:23 42:10 51:12,16  <b>think</b> [40] 8:21 11:12 13:6 14:3 20:2,4,5,8 26:8,21 33:21 34:3,7,14 37:15 38:24 39:2,21 41:21 43:4,15 44:6,10,25 45:9 47:21 48:9,21,23 50:1 51:6,9,10 52:19 53:14,19,22,25 59:21 62:23  <b>thinking</b> [1] 55:16  <b>this</b> [63] 3:24,24 4:20,21,24 5:10,22 7:22,24 8:15,21 9:23 10:6 11:2,3,5 12:25 14:17 16:8,9 20:6 23:11,17,24 24:19 25:5 27:6 29:23 30:15,16 31:10 32:4,6,19 33:1,6,10 34:9 37:1 38:22 39:2,17 41:24,24 45:19 47:13 48:17 49:10,10 51:4,8 52:17 53:15,17 57:22 60:7,25 62:24 63:20,23 64:2,10,10  <b>those</b> [18] 8:5 13:20 14:20 21:18 22:6,21 23:2 26:22 31:18 34:10,18 35:3 49:22 50:6 52:3 53:7 61:17 64:12  <b>though</b> [4] 17:6 38:19 59:1 61:25  <b>thought</b> [11] 10:13 14:22,</p>
---	---	--	---

23 18:2 33:16,16 39:18 48:15 59:22 60:1 61:15 <b>thousands</b> [1] 27:7 <b>threat</b> [1] 22:13 <b>threatened</b> [1] 22:17 <b>three</b> [2] 45:25 61:5 <b>through</b> [2] 22:5 28:19 <b>throughout</b> [1] 29:24 <b>tie</b> [1] 60:21 <b>time</b> [13] 7:14 15:15 18:4 25:12 34:8,9 45:20 48:21 51:23 55:13 59:11,16 63:4 <b>times</b> [2] 27:7 62:1 <b>tiny</b> [1] 58:10 <b>today</b> [1] 49:20 <b>together</b> [1] 60:21 <b>token</b> [1] 42:24 <b>told</b> [5] 15:15 18:11 31:2 47:15 50:8 <b>too</b> [2] 37:19 56:16 <b>took</b> [1] 47:3 <b>tool</b> [1] 24:6 <b>totally</b> [1] 58:20 <b>traffic</b> [1] 18:11 <b>transcript</b> [1] 21:2 <b>transforms</b> [1] 3:12 <b>transient</b> [1] 30:10 <b>transport</b> [1] 6:13 <b>transportation</b> [1] 6:11 <b>traveled</b> [1] 44:8 <b>treatment</b> [1] 46:14 <b>tremendous</b> [1] 48:24 <b>trial</b> [10] 13:21 15:2 16:13 30:3 54:11,12 57:6 58:18,22,22 <b>trials</b> [1] 56:9 <b>true</b> [4] 24:14,23 35:2 44:24 <b>truly</b> [4] 19:24 33:15,16 34:11 <b>trust</b> [1] 58:25 <b>try</b> [2] 7:14 62:15 <b>turn</b> [3] 11:11 51:3 56:21 <b>two</b> [10] 5:9 46:9,9 47:13,16 53:14 55:18 57:17 61:3,14 <b>type</b> [9] 20:4 25:8 27:9 34:4,23 35:17 42:16 51:14,19	<b>types</b> [2] 4:15 37:24 <hr/> <b>U</b> <hr/> <b>unaware</b> [1] 16:22 <b>unbeknownst</b> [1] 26:15 <b>uncertain</b> [1] 38:19 <b>unclear</b> [1] 50:16 <b>under</b> [14] 11:18 20:15 29:8 37:2 42:21 47:1 53:2 57:23 58:21 59:11 61:9 62:9,23 63:3 <b>underlie</b> [1] 33:8 <b>underlying</b> [2] 21:16 51:2 <b>understand</b> [3] 47:18 55:19 58:14 <b>understanding</b> [1] 33:11 <b>understands</b> [1] 18:22 <b>undoing</b> [1] 50:9 <b>unfairness</b> [1] 48:24 <b>united</b> [4] 3:5 28:12 42:25 44:10 <b>universal</b> [1] 30:10 <b>unlawful</b> [4] 38:8,11,14,15 <b>unlawfully</b> [5] 20:13 28:13 35:15 43:2 44:9 <b>unless</b> [5] 8:23 13:14 39:3 40:7,8 <b>unlikely</b> [2] 53:16,16 <b>unreasonable</b> [1] 53:25 <b>unrelated</b> [1] 58:20 <b>until</b> [1] 15:4 <b>unusual</b> [1] 25:22 <b>up</b> [9] 10:11 13:5 27:4 30:5 34:15 36:14 48:9,25 53:8 <b>upon</b> [2] 42:23 43:1 <b>us</b> [10] 10:6,8,17 31:8 40:8,11 49:11,23 50:1,8 <b>use</b> [4] 22:16,16,17 45:11 <b>uses</b> [1] 22:1 <b>usually</b> [2] 31:20 56:6 <hr/> <b>V</b> <hr/> <b>valid</b> [1] 18:24 <b>value</b> [1] 24:13 <b>vanishingly</b> [1] 49:8 <b>various</b> [1] 60:22 <b>vast</b> [4] 26:19 34:17,22 54:4 <b>verb</b> [1] 4:12	<b>verdicts</b> [1] 13:20 <b>versus</b> [4] 3:4 13:20 35:9 42:15 <b>very</b> [15] 3:24 5:11 13:6,7 22:9,11 32:4,6 40:7 44:5 49:14 50:13 59:15 64:9,10 <b>veteran</b> [1] 48:11 <b>victim</b> [1] 42:21 <b>victory</b> [1] 24:16 <b>video</b> [1] 31:17 <b>view</b> [3] 37:11 62:5,9 <b>violate</b> [6] 3:11 4:11,12 9:12 40:20 61:2 <b>violated</b> [1] 14:20 <b>violates</b> [7] 26:5 32:6,25 33:5 40:16 60:24 61:6 <b>violating</b> [2] 37:22 39:6 <b>violations</b> [1] 38:2 <b>violent</b> [1] 22:25 <b>virtually</b> [1] 63:16 <b>virtue</b> [1] 28:6 <b>visa</b> [16] 14:11,18,18,24 15:11 16:6,7 18:3,21,24 26:14 36:5 47:8,11 57:23 60:16 <hr/> <b>W</b> <hr/> <b>wag</b> [2] 58:8,9 <b>wait</b> [1] 40:22 <b>want</b> [12] 7:18 8:15 11:22,22,22 12:11 21:9 32:15 46:7 51:15 54:16 56:20 <b>wanted</b> [7] 5:23 9:7,13 17:12 50:21 51:21 61:11 <b>wants</b> [2] 8:22 51:23 <b>warrant</b> [1] 18:12 <b>was</b> [72] 11:21 12:20 14:11,17 15:2,2,15 16:16,22,23 17:6,7,14,18 18:1,2,10,13,18 20:13 22:2,25 23:17,23,25 24:1,19,25 25:2,5,6 31:2,2,3,3,9,14,19 33:3,16 34:12,20 35:11 37:24,25 38:2 39:18 42:21,22,23 46:13 47:16 48:17 50:15,16,17,20,25 51:11 53:25 54:22 57:16 59:19,20,21,22 60:1,16 61:10 62:10 64:6,16 <b>wasn't</b> [4] 5:2 15:3 31:13 55:16	<b>way</b> [13] 13:20,25 20:15,22 22:11 33:1 39:17 40:17 41:22 49:3 50:22 53:17 61:21 <b>ways</b> [2] 21:1 53:14 <b>we</b> [63] 4:6,8 6:7,19 7:4,4,4,7,13 8:15,15,17,20,21,21,25 10:21,23 11:23 15:18 16:2,4,9,11 17:21 25:10 27:4,12 30:15 31:7,23,23 32:25 37:13 38:6,11 39:1,21,21 41:25 42:8,9,18 46:1 47:25 48:25 50:3,4,8 51:3,12,17,18 52:3,24 56:24 58:25 59:3,4 62:5,6 63:3,11 <b>weak</b> [1] 64:10 <b>we'd</b> [1] 64:12 <b>weight</b> [1] 64:10 <b>well</b> [26] 4:1 6:15 7:24 11:19,24 12:15,18 24:14,19 26:23 27:11 29:5,7 30:4 31:1,17,25 33:22 34:20 40:6,18 43:3 44:17 54:13 55:7 59:13 <b>we'll</b> [1] 3:3 <b>went</b> [2] 18:6,7 <b>were</b> [14] 9:19 10:15,16 13:5 20:10 21:17 23:12 35:20 39:6 41:18 44:2 49:10 52:18 58:16 <b>we're</b> [14] 5:14 20:17 27:15,16 29:22 30:19 46:10 53:11 54:5 55:18 56:7 57:1 58:13 60:10 <b>weren't</b> [1] 21:19 <b>we've</b> [7] 8:7 31:16 32:1 43:11 52:1,2 53:9 <b>what</b> [56] 3:23 4:6 5:8 7:16,16,21 8:14,14 9:5,6,19,20 11:20 12:24 13:5,19 14:3,3,9 16:20 19:10,18 20:2 22:8 26:9,12,18 27:12 28:14,24,25 30:15 31:7 33:6 34:20 35:8,24 36:8,23 37:15 40:8 42:14 48:16 49:17 50:3 53:2,19,20 54:7 57:5,24 58:1 59:7 60:15,17 63:18 <b>whatever</b> [2] 21:20 43:14 <b>what's</b> [4] 6:6 16:8 29:24,
---	---	--	--

<p>24  <b>when</b> <sup>[18]</sup> 4:8,25 9:22 12:10 20:19 21:11,18 29:9,10 30:8 31:3 38:11 47:15 51:22 59:8 60:16 61:11,20  <b>where</b> <sup>[22]</sup> 3:25 4:4 21:7 31:1 34:11 36:18,21,22,25 37:19 38:6 39:9,23 41:23 42:2 46:10 52:4,25 55:23 58:9 61:14 63:7  <b>whereas</b> <sup>[3]</sup> 5:13 6:22 8:8  <b>whereupon</b> <sup>[1]</sup> 64:16  <b>whether</b> <sup>[15]</sup> 8:6,9 12:19 13:2,3 17:2 28:8,12 30:2 34:1 35:12 43:1 45:24,25 49:2  <b>which</b> <sup>[28]</sup> 4:22 5:23 18:13 22:9 23:4 24:5 31:10,19 33:12 36:13 37:25 38:10,13,14 39:23 40:20 41:5 43:25 45:4 46:16,17,21,22 53:14 54:11 55:12 60:13,24  <b>who</b> <sup>[31]</sup> 11:17 12:1,11,13 18:20 20:6,12 21:7,9,12 22:10 25:25 26:14 28:6,10 33:4 37:5 40:4 44:9 47:7,10,12 48:11,16 49:23 50:1 54:24 55:11 57:16,22 59:25  <b>whoever</b> <sup>[1]</sup> 19:19  <b>whole</b> <sup>[4]</sup> 21:1 45:14 50:24 63:20  <b>who's</b> <sup>[3]</sup> 39:25 46:16,24  <b>why</b> <sup>[21]</sup> 4:8 6:7,18 7:7,13,13 16:8 21:9 23:11 33:23 36:2 40:2 41:12,17 43:21,21 45:19 48:3,6 52:8 60:6  <b>will</b> <sup>[14]</sup> 20:4 21:14 22:4 30:12 34:24,24,25 54:8,9,10,15,18 56:6 57:10  <b>willfulness</b> <sup>[5]</sup> 37:22,25 38:6 39:4 47:5  <b>willing</b> <sup>[1]</sup> 29:3  <b>win</b> <sup>[1]</sup> 24:15  <b>with</b> <sup>[47]</sup> 3:23 12:25 14:20 16:14 17:5 19:14 20:7 23:15 24:16 26:10,13,13,18 27:5,12 28:4,7 30:15 31:11,25 32:23 34:3 37:4,7,18 38:5,</p>	<p>9 39:19 41:21 45:20 48:2,18,25 51:24 52:15 53:13 55:18 56:13 57:1 60:14 61:3,12,18,21 64:1,2,3  <b>withdrawals</b> <sup>[1]</sup> 21:20  <b>within</b> <sup>[4]</sup> 3:20 19:6 39:10 58:22  <b>witnesses</b> <sup>[1]</sup> 58:19  <b>won't</b> <sup>[4]</sup> 35:3 54:14,19 56:6  <b>word</b> <sup>[2]</sup> 31:20 32:5  <b>work</b> <sup>[4]</sup> 32:19 40:16 50:9 55:9  <b>worked</b> <sup>[2]</sup> 49:3 50:24  <b>world</b> <sup>[3]</sup> 12:10 54:15,20  <b>worried</b> <sup>[2]</sup> 52:5 57:13  <b>worry</b> <sup>[3]</sup> 46:11 59:4,4  <b>worse</b> <sup>[2]</sup> 32:1 58:7  <b>would</b> <sup>[59]</sup> 5:25 6:1 9:1,6,16 10:21 11:5 12:3,19 13:6,6 14:4,10 17:24 18:8,14,17 19:6,8,24 20:14 21:9,22 22:18 23:5 24:5,7,10,12,13 25:11 27:5 29:6 32:17 34:4,15 39:20 40:2 41:17 42:9 44:2,7 45:4 48:17 50:24 51:15,17,17,21 52:18,24 53:16 59:9 61:23 62:4,6,9,14 63:11  <b>wouldn't</b> <sup>[6]</sup> 11:25 42:8 46:12 47:2 52:5 61:16  <b>written</b> <sup>[1]</sup> 41:22  <b>wrong</b> <sup>[4]</sup> 14:25 32:14 34:21 63:10</p> <hr/> <p style="text-align: center;"><b>X</b></p> <hr/> <p><b>x</b> <sup>[1]</sup> 48:12  <b>x-citement</b> <sup>[1]</sup> 31:17</p> <hr/> <p style="text-align: center;"><b>Y</b></p> <hr/> <p><b>y</b> <sup>[1]</sup> 48:12  <b>yeah</b> <sup>[4]</sup> 6:4 21:12 43:12 56:17  <b>year</b> <sup>[8]</sup> 25:7 27:8 35:20 45:1,3 54:23 59:14 62:23  <b>years</b> <sup>[16]</sup> 20:14 23:13,13 31:4 33:24 34:16 36:11 47:13,14,16 48:14 50:10 55:11 58:3 61:24 63:1  <b>yes</b> <sup>[17]</sup> 5:7 6:17 7:3,6 8:2,</p>	<p>4,11,19,25 11:15 14:13,16 15:13,17 20:3 23:4 59:9  <b>yet</b> <sup>[4]</sup> 31:3 34:15 35:5 61:25  <b>you'd</b> <sup>[3]</sup> 43:3,15 45:6  <b>your</b> <sup>[38]</sup> 5:7 6:1 8:8,11,19,25 10:2,5,13 11:9,15 12:4 14:16 15:1,9,13,17 16:10 17:4 19:5,25 20:3 23:4 29:12 32:8 34:21 39:17 41:16 45:3 49:18 55:19 56:7,19 59:6 60:9 62:5,5,21  <b>you're</b> <sup>[19]</sup> 18:3,3 20:25 21:2 23:11 27:6,24 28:4 29:18 34:7 35:21 42:2,24 45:7 52:6 56:13 60:9 61:3 63:10  <b>you've</b> <sup>[4]</sup> 27:9 35:5 38:4 55:8</p> <hr/> <p style="text-align: center;"><b>Z</b></p> <hr/> <p><b>z</b> <sup>[1]</sup> 48:12</p>
--	---	--