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June 14, 2016

Office of the Clerk  
Clerk, United States Court of Appeals  
for the Third Circuit  
21400 United States Courthouse  
601 Market Street  
Philadelphia, PA 19106

Re: *Suarez v. Attorney General of the United States*, Nos. 15-1975 & 15-1976, and  
*Binderup v. Attorney General of the United States*, Nos. 14-4549 & 14-4550

In response to questions asked at argument, plaintiffs filed a letter explaining that they both remain subject to the prohibition in 18 U.S.C. § 922(g)(1). The government agrees that plaintiffs have not been pardoned, had their crimes expunged, or had their civil rights fully restored by their state of conviction for purposes of 18 U.S.C. § 921(a)(20). *See Logan v. United States*, 552 U.S. 23, 26 (2007) (holding that “the § 921(a)(20) exemption provision does not cover the case of an offender who retained civil rights at all times, and whose legal status, postconviction, remained in all respects unaltered by any state dispensation”). Maryland and Pennsylvania both provide for executive pardons that would qualify for relief under section 921(a)(20), *see* Pa Const. art. 4, § 9(a); Md. Corr. Servs. § 7-601, but neither plaintiff claims to have received such a pardon.

Sincerely,

*s/ Patrick G. Nemeroff*

PATRICK G. NEMEROFF  
U.S. Department of Justice  
Appellate Staff, Civil Division

## **CERTIFICATE OF SERVICE**

I hereby certify that on June 14, 2016, I electronically filed the foregoing with the Clerk of the Court by using the appellate CM/ECF system. I certify that the participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

*s/ Patrick G. Nemeroff*  
PATRICK G. NEMEROFF