

FILED: August 7, 2023

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-4348
(8:17-cr-00590-GJH-1)

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

TIMOTHY ZACHARY GREEN

Defendant - Appellant

O R D E R

The court grants panel rehearing and oral argument in this case.

The parties are directed to file supplemental briefing on the following issues:

(1) Whether the district court erred in denying Green's motion to suppress where

(a) he had a longstanding familial connection to the home police searched, and

(b) neither a warrant nor an exception to the warrant requirement authorized police to search that home.

(2) Whether the district court erred by enhancing Green's sentence based on unreliable allegations of an unrelated home invasion.

(3) In light of *Greer v. United States*, 141 S. Ct. 2090 (2021), whether the indictment was invalid because it failed to allege Green knew he had been convicted of a felony before possessing a gun.

(4) In light of *Greer v. United States*, 141 S. Ct. 2090 (2021), whether the trial evidence was insufficient because the government did not show Green knew of his felon status.

Oral argument will be scheduled for the first available session after the completion of briefing.

Entered at the direction of Judge Gregory with the concurrence of Judge Wynn and Judge Harris.

For the Court

/s/ Patricia S. Connor, Clerk