United States v. King

Docket No.: 25-1491

Full decision: Click here to view the decision

Case Information

Court: U.S. Court of Appeals for the Second Circuit

Date Decided: September 21, 2026

Judges: Circuit Judge Walker, Circuit Judge Park, Circuit Judge Lee

Lower Court: U.S. District Court for the Western District of New York (Judge Siragusa)

Parties and Attorneys

Appellee: United States of America; Represented By: Sean C. Eldridge

Defendant-Appellant: Gregory King; Represented By: Timothy P. Murphy

Overview

Issue: Whether King's appeal waiver barred his Guidelines challenge and whether the district court adequately pronounced standard supervised-release conditions.

Lower Court Held: The district court imposed 46 months' imprisonment and three years of supervised release, with thirteen standard conditions in the written judgment.

What Was Overturned: The Second Circuit vacated the judgment only as to the standard supervised-release conditions, remanded for further proceedings, and otherwise dismissed the appeal.

Why: The waiver covered procedural sentencing challenges, but eleven standard conditions were neither orally pronounced nor specifically incorporated by reference.

Background

King pleaded guilty in January 2025 to possessing a firearm as a felon under 18 U.S.C. § 922(g)(1) [prohibiting firearm possession by a convicted felon]. The government secured dismissal of pending state charges and agreed to advocate for 37–46 months'

imprisonment. King waived appeal of imprisonment within that range, notwithstanding how the court determined the sentence.

Lower Court Decision

The district court applied a four-level enhancement for using a firearm in connection with a felony, producing a Guidelines range of 57–71 months, but imposed 46 months. It also imposed three years of supervised release, referring generally to standard conditions while orally identifying only two.

Second Circuit Reversal

The Second Circuit reviewed the appeal waiver de novo and identified abuse of discretion as the sentencing-review standard. King knowingly and voluntarily waived appeal, and his within-range sentence triggered that waiver. Its language encompassed procedural challenges; an ordinary Guidelines-calculation error did not justify nonenforcement. Under United States v. Maiorana, nonmandatory supervised-release conditions required notice at sentencing. The court's generic reference to standard conditions neither pronounced the omitted eleven nor specifically incorporated written conditions made available to King. The Second Circuit therefore vacated only the standard conditions and ordered a limited remand.

Legal Significance

This nonprecedential summary order applied existing rules governing appeal waivers and oral pronouncement of supervised-release conditions. A waiver need not contain a freestanding procedural-challenge prohibition, while a generic reference to standard conditions does not satisfy Maiorana.

Key Takeaway

Counsel should assess waiver language before challenging Guidelines calculations and verify that nonmandatory supervised-release conditions were pronounced or properly incorporated at sentencing.

Full decision: Click here to view the decision