

(ORDER LIST 28 U.S.)

SATURDAY, AUGUST 30TH, 2025

CERTIORARI GRANTED

21-02 U.S. V NATHANIEL68542

The petition for a writ of certiorari is granted; the judgment of the District Court for the District of Columbia is reversed; and the case is remanded for further proceedings consistent with the attached opinion.

Per Curiam

SUPREME COURT OF THE UNITED STATES

No. 21-02

UNITED STATES v. NATHANIEL68542**ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES
DISTRICT COURT FOR THE DISTRICT OF COLUMBIA**

[August 30, 2025]

PER CURIAM.

I

Federal Rule of Criminal Procedure 16 governs reciprocal discovery in criminal prosecutions. Its plain text provides that the Government’s duty to disclose certain categories of information arises “[u]pon a defendant’s request.” Fed. R. Crim. P. 16(a)(1). The Rule further specifies that if a party fails to comply, “the court may ... enter any other order that is just under the circumstances.” Fed. R. Crim. P. 16(d)(2)(D).

In this case, the district court dismissed a criminal information with prejudice, holding that Rule 16 requires the government to automatically disclose all discovery materials without request. That holding frankly cannot be squared with the Rule’s text, which in every significant instance of the Government’s discovery obligations under Rule 16(a) conditions disclosure on a defendant’s request. By reading the “upon request” language out of the Rule, the district court engaged in judicial amendment rather than judicial interpretation. See *Montclair v. Ramsdell*, 107 U.S. 147, 152 (1883) (courts must give effect to every word of a statute); *Corley v. United States*, 556 U.S. 303, 314 (2009) (rejecting interpretations that render statutory text superfluous); *Lamie v. U.S. Trustee*, 540 U.S. 526, 534 (2004) (“when the statute’s language is plain, the sole function of the courts ... is to enforce it according to its terms”).

Even if we assume that the court intended to order the Government to hand over all evidence and materials during the period of discovery, including that which had already been provided for the court’s record, the court’s order was

Per Curiam

ultimately ambiguous, merely opening a 72-hour period for pre-trial motions which included discovery, and making no mention of such a requirement.

II

The sanction imposed by the court was equally erroneous. Dismissal with prejudice is the “most severe remedy” available for discovery violations, reserved for instances of misconduct that cause substantial prejudice. *Bank of Nova Scotia v. United States*, 487 U.S. 250, 254 (1988). Here, no discovery request was ever made. The Government voluntarily disclosed its core evidence before the court’s order. The respondent identified no further exculpatory material that was withheld, and the respondent made no effort to outline what possible prejudice was held against the defendant. The district court similarly, in its order granting the motion to dismiss, made no direct finding of prejudice. In these circumstances, dismissal with prejudice constituted an abuse of discretion. Even if dismissal was warranted in this case, the more appropriate remedy would have been to dismiss without prejudice or follow through with another order pursuant to Rule 16(d)(2)(D).

III

Because the district court’s judgment rested on a misapplication of Rule 16 and imposed a sanction without legal or factual basis, summary reversal is warranted. The judgment below is reversed, and the case is remanded for further proceedings consistent with this opinion.

DOUGLAS, J., Concurring

SUPREME COURT OF THE UNITED STATES

No. 21-02

UNITED STATES *v.* NATHANIEL68542

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES
DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

[August 30, 2025]

JUSTICE DOUGLAS concurring.

I concur in the Court’s judgment reversing the dismissal with prejudice and remanding for further proceedings. I write separately to accentuate that our decision today should not be understood to diminish the inherent supervisory authority of the district courts. That authority, rooted in the courts’ duty to ensure the integrity of criminal proceedings, remains vital to the protection of a defendant’s right to a fair trial.