UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

IN RE: REQUEST FOR RELIEF IN LIGHT OF *Johnson v. United States*, __ U.S. __, 135 S.Ct. 2551 (June 26, 2015), WHICH WAS MADE RETROACTIVE BY THE UNITED STATES SUPREME COURT IN *Welch v. United States*, __ U.S. __, No. 15-6418 (April 18, 2016)

No: 2016-08

ADMINISTRATIVE ORDER

Pursuant to the provisions of the Criminal Justice Act, 18 U.S.C. § 3006A(a)(2)(B), and the discretion of the Court, the Office of the Federal Public Defender for the Middle and Western Districts of Louisiana is hereby appointed to represent any defendant who was previously determined to have been entitled to appointment of counsel or who is now indigent and who has been identified, including by the United States Sentencing Commission, the U.S. Probation Office for the Middle District of Louisiana or the Office of the Federal Public Defender, as possibly qualifying for federal habeas relief under either 28 U.S.C. § 2255 or 28 U.S.C. § 2241, in light of *Johnson v. United States*, __ U.S. __, 135 S.Ct. 2551 (June 26, 2015), which was made retroactive by the United States Supreme Court in *Welch v. United States*, __ U.S. __, No. 15-6418 (April 18, 2016). If at any point the Office of the Federal Public Defender concludes that a defendant does not qualify for relief under *Johnson*, it can seek to withdraw from the representation, including after the filing of a request for federal habeas corpus relief on behalf of the defendant. Should the Office of the Federal Public Defender determine that there is a conflict with regard to its representation of a particular defendant, a Criminal Justice Act panel attorney will be appointed as counsel.

The U.S. Probation Office for the Middle District of Louisiana and the United States District Court Clerk's Office for the Middle District of Louisiana are authorized to disclose

Presentence Investigation Reports, Statements of Reasons, and Judgments to the Federal Public Defender's Office for the purpose of determining who may be eligible for relief under *Johnson*.

In addition, the Court will insure that the Federal Public Defender is notified of all pending *pro se* motions and petitions seeking relief under *Johnson*, as well as any new petition or writ of habeas corpus involving a claim under *Johnson* that is filed by an inmate *pro se*, in order that the Federal Public Defender can assume representation in those cases in a timely fashion where appropriate.

BATON ROUGE, LOUISIANA, this 6th day of May, 2016.

BRIAN A. JACKSON, CHIEF JUDGE
UNITED STATES DISTRICT COURT

c: U. S. District Court