

IN THE DISTRICT COURT OF THE UNITED STATES  
 FOR THE MIDDLE DISTRICT OF ALABAMA  
 SOUTHERN DIVISION

TIMOTHY STUBBS, # 149430,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 1:15cv872-MHT
	)	(WO)
DEWAYNE ESTES, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

On November 20, 2015, the petitioner filed a motion to stay these proceedings (Doc. No. 2) pending resolution of *Montgomery v. Louisiana*, 132 S.Ct. 1546 (2015), by the United States Supreme Court. On January 25, 2016, the Supreme Court rendered its decision in *Montgomery*. See *Montgomery v. Louisiana*, No. 14-280, 2016 WL 280758 (Jan. 25, 2016). In light of the Supreme Court’s decision, the parties filed a joint status report on February 5, 2016 (Doc. No. 10), indicating that the parties agree the petitioner is entitled to a resentencing hearing.

Accordingly, upon consideration of the motion to stay proceedings, the court concludes that the motion is due to be granted and this case should be stayed pending conclusion of the resentencing hearing.

Accordingly, it is ORDERED that the motion to stay proceedings (Doc. No. 2) is hereby GRANTED and that this case is STAYED until further order of the court.

It is further ORDERED that beginning on April 1, 2016, the parties shall file a joint

status report every 56 days concerning the status of the resentencing hearing.

DONE, this 16<sup>th</sup> day of February, 2016.

/s/ Terry F. Moorer  
TERRY F. MOORER  
UNITED STATES MAGISTRATE JUDGE