

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

JIMMY WILLIAMS, JR., # 213512,)
Petitioner,)
v.) Civil Action No. 2:15cv362-GMB
[WO]
CHERYL PRICE, *et al.*,)
Respondents.)

ORDER

On May 26, 2015, the petitioner filed a motion to stay these proceedings (Doc. 2) pending resolution of *Montgomery v. Louisiana*, 132 S. Ct. 1546 (2015), by the United States Supreme Court. In an order entered on May 28, 2015 (Doc. 4), this court initially denied the petitioner's motion to stay.

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 3, 2016 (Doc. 13), indicating that the parties agree the petitioner is entitled to a resentencing hearing.

Accordingly, upon reconsideration 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 court's order of May 28, 2015 (Doc. 4), denying the petitioner's motion to stay proceedings is VACATED; that the motion to stay (Doc. 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 9th day of February, 2016.

/s/ Gray M. Borden
UNITED STATES MAGISTRATE JUDGE