

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

ROBERT G. HARRIS,

Movant,

v.

Case No: 8:16-cv-1600-T-30TBM

USA,

Respondent.

ORDER


THIS CAUSE comes before the Court on the Unopposed Motion to Lift Stay and Unopposed Motion to Withdraw as Counsel (Doc. 10). In the Motion, Movant's counsel explains that he was appointed to represent Movant on his section 2255 motion that was based on *Johnson v. United States*, 135 S. Ct. 2551 (2015). (CV Doc. 1). This case was later stayed pending the outcome of *United States v. Fritts*, 841 F.3d 937 (11th Cir. 2016), *cert. denied*, No. 16-7883, 2017 WL 554569 (U.S. June 19, 2017); and *United States v. Golden*, 854 F.3d 1256 (11th Cir. 2017). After both of those cases were decided, Movant's counsel conferred with Movant and the two agreed that Movant would proceed on his section 2255 motion *pro se*.

Accordingly, it is ORDERED AND ADJUDGED that:

1. The Unopposed Motion to Lift Stay and Unopposed Motion to Withdraw as Counsel (Doc. 10) is GRANTED.
2. The Clerk is directed to reopen this case and lift the stay in this matter.

3. Federal Defender Conrad Kahn is relieved as counsel for Movant in this matter and Movant will proceed *pro se*.
4. Movant is directed to file a memorandum in support of his section 2255 motion (CV Doc. 1) within forty-five (45) days of the date of this Order. If no memorandum is filed within forty-five (45) days, the Court will consider Movant's section 2255 motion on the merits or direct the Government to respond if necessary.

DONE and **ORDERED** in Tampa, Florida, this 10th day of July, 2017.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record