

10

C

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

CHARLIE M. GATSON,)	
)	
Movant,)	
)	
v.)	Case No. CV414-065
)	CR412-160
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

Upon Charlie M. Gatson's motion for 28 U.S.C. § 2255 relief this Court recommended dismissal based on his appellate and collateral waivers. Doc. 3 at 4. Following adoption of the undersigned's Report and Recommendation, doc. 7, Gatson appealed and the U.S. Department of Justice altered its policy on waiver enforcement, so the Eleventh Circuit reversed and remanded. *Gatson v. United States*, 2015 WL 8732325 at * 1 (11th Cir. Dec. 15, 2015) ("[W]e will vacate and remand the judgment with instructions that the district court should consider as non-waived Gatson's claim that his attorney was constitutionally ineffective for not objecting to the application of the Armed Career

Criminal Act at his sentencing. We imply no view as to whether such a claim has any merit.”). Within 30 days of the entry of that court’s mandate, the Government shall file an answer or response. Gatson is directed to furnish the United States Attorney in Savannah, Georgia, with copies of all further motions or papers that he files in this case.

SO ORDERED, this 4th day of January, 2016.



**UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA**