

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA)
v.) Case No. 16 C 6651
JAMES DODD)

MEMORANDUM ORDER

This action, in which James Dodd ("Dodd") seeks relief under 28 U.S.C. § 2255 ("Section 2255") based on Johnson v. United States, 135 S. Ct. 2251 (2015) and Welch v. United States, 136 S. Ct. 157 (2016), has been placed on the back burner by agreement for many months pending the Supreme Court's resolution of the meaning of "crime of violence" in Sentencing Guideline § 4B1.2(a). That issue has now been dealt with by the Supreme Court's March 6, 2017 decision in Beckles v. United States, No. 15-8544, 2017 WL 855781, so that the government's lawyers should be prepared to get to work on a response to Dodd's motion.

This Court of course recognizes that government counsel are undoubtedly dealing with the same issue in a host of cases, so that it is not prepared to accommodate the recent status report received from the Federal Defender Program that asks this Court to set a briefing schedule now for the government's response (and Dodd's reply, if one is called for). Instead this Court requests a swift response from the United States Attorney's Office suggesting as early a date as may be feasible for the filing of its response in this action, after which it anticipates setting a specific response date, to be followed shortly thereafter by a status hearing to discuss the possible need for, and timing of, a reply by petitioner Dodd.

Wilton D Shadley

Milton I. Shadur
Senior United States District Judge

Date: March 23, 2017