

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

THETIS L. JOHNSON,

Petitioner,

v.

**Civil Case No. 14-cv-474-DRH
Criminal Case No. 99-cr-30022-DRH-8**

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM & ORDER

HERNDON, Chief Judge:

This matter is before the Court on petitioner Thetis L. Johnson's motion to vacate, set aside, or correct sentence, pursuant to 28 U.S.C. § 2255 (Doc. 1). Petitioner was convicted of drug crimes in 1999. This Court sentenced petitioner to 168 months' imprisonment and 5 years' supervised release. In 2010, he was released. In 2013, this Court revoked his supervised release and imposed 48 months additional imprisonment to be followed by 12 months of supervised release. At the final revocation proceedings, petitioner denied allegations that he committed the offenses of distribution of marijuana and uttering counterfeit obligations or security, but admitted all other accusations. This Court found Johnson committed the contested violations; that he received counterfeit money when he sold marijuana. The Court included a search authorization as a special

condition of supervised release. It is the search condition that Johnson appealed and which the Seventh Circuit affirmed on October 23, 2013.

Petitioner alleges ineffective assistance of counsel in connection with his revocation proceedings. Pursuant to Rule 4 of the RULES GOVERNING SECTION 2255 PROCEEDINGS, the Court **ORDERS** the government to file a response to petitioner's motion on or before **June 2, 2014**. By ordering the government to respond, the Court is of course not commenting as to whether petitioner's claims are properly before the Court. The government shall, as part of its response, attach all relevant portions of the record.

IT IS SO ORDERED.

Signed this 5th day of May, 2014.


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David R. Herndon
Date: 2014.05.05
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Chief Judge
United States District Judge