

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

**MICHAEL DANOTUS YOUNG,
No. 13380-040**

Petitioner,

vs.

Case No. 15-cv-848-DRH

JEFFREY S. WALTON,

Respondent.

MEMORANDUM AND ORDER

HERNDON, District Judge:

This matter is before the Court for case management. This case has been stayed since August 26, 2015 (Doc. 6) in order for the United States Court of Appeals for the Sixth Circuit to rule on petitioner's request to file a second/successive motion under 28 U.S.C. § 2255 in the district court where he was convicted.

It has now come to the Court's attention that the Sixth Circuit has granted petitioner's motion. *In re Young*, Case No. 15-2019, Doc. 13-2 (6th Cir. March 29, 2016). In light of this ruling, and the newly-announced Supreme Court decision in *Welch v. United States*, No. 15-16418 (U.S. April 18, 2016) (holding that the ruling in *Johnson v. United States*, 576 U.S. ___, 135 S. Ct. 2551 (2015) was substantive and retroactively applicable to cases on collateral review), the stay shall be lifted, and Young's petition under 28 U.S.C. § 2241 in this Court shall be dismissed.

IT IS THEREFORE ORDERED that the stay is **LIFTED**, and the instant § 2241 petition is **DISMISSED** without prejudice to petitioner pursuing his claims in the trial court as authorized by the Sixth Circuit.

IT IS SO ORDERED.

Dated: April 21, 2016

David R. Herndon



Digitally signed by
Judge David R. Herndon
Date: 2016.04.21
10:13:51 -05'00'

United States District Judge