

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

**CHRISTOPHER M. HORTON,**  
**Petitioner,**

**v.**

**No. 3:17-cv-00023-DRH**

**UNITED STATES OF AMERICA,**  
**Respondent.**

**ORDER**

**HERNDON, District Judge:**

Before the Court is petitioner Christopher Horton's ("Horton") motion for Expert Witness (Doc. 2). Horton declares he intends to file an ineffective assistance of counsel ("IAC") claim based upon his defense counsel's failure to obtain a particular type of expert during his criminal proceeding, and that he is financially unable to procure his choice of expert independently (*Id.*). However, under no analysis under *Strickland* would defense counsel's failure to call one type of expert rather than another constitute grounds for an IAC claim. *See Mendoza v. United States*, 755 F.3d 821, 830 (7th Cir. 2014); *see also Strickland v. Washington*, 466 U.S. 668 (1984). Accordingly, Horton's motion for Expert Witness (Doc. 2) is **DENIED**.

**IT IS SO ORDERED.**

Signed this 7th day of June, 2017.

Digitally signed by  
Judge David R. Herndon  
Date: 2017.06.07  
14:34:18 -05'00'



**UNITED STATES DISTRICT JUDGE**