

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION**

JAMES A. FAULKNER,)	
)	
Petitioner,)	
)	
v.)	No. 2:15-cv-00042-JMS-DKL
)	
J.F. CARAWAY, Warden,)	
)	
Respondent.)	

Entry Discussing Petition for Writ of Habeas Corpus

James Antoine Faulkner seeks a writ of habeas corpus with respect to his conviction entered in the United States District Court for the Southern District of Iowa in No. 3:08-cr-00074. The essence of his claim is that his life sentence was improper under *Burrage v. United States*, 134 S. Ct. 881, 892 (2014), because the jury did not find that use of the heroin distributed as part of the conspiracy was an independently sufficient cause of the third party’s death.

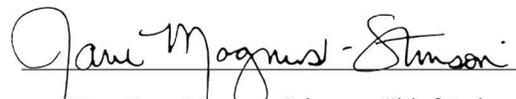
The parties’ *Stipulation* filed on May 23, 2017 culminates with the following agreement: “that the death results enhancement of Petitioner Faulkner’s sentence on count one is improper under *Burrage*. Petitioner Faulkner is entitled to issuance of a writ of habeas corpus under § 2241 as to his sentence of life imprisonment on count one of the Indictment.” The parties further agree that the ingredients necessary for use of the Savings Clause of 28 U.S.C. § 2255(e) are present in this case.

The parties’ *Stipulation* Dkt. [36] is **approved**.

Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 7/27/2017


 Hon. Jane Magnus-Stinson, Chief Judge
 United States District Court
 Southern District of Indiana

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