

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

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*

*

v.

*

Criminal No. JFM-13-0678

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Civil No. JFM-16-3044

*

MICHAEL LEE

MEMORANDUM

Plaintiff has filed this action for relief under *Johnson v. United States*, 135 S.Ct. 2551 (2015).

The Government has filed a motion to dismiss for untimeliness. Assuming, however, that the action is timely, plaintiff is not entitled to relief under *Johnson*. Plaintiff was convicted under 18 U.S.C. §1592(a)(3), to which *Johnson* does not apply.

A separate order denying the motion is being entered herewith.

/s/

J. Frederick Motz
United States District Judge