

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

**EARL MICHAEL KENNEY**

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**Petitioner,**

\*

v.

**Civil Case No.: GJH-16-2246**

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**Crim Case No.: GJH-14-536**

**UNITED STATES OF AMERICA,**

\*

**Respondent.**

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\* \* \* \* \*

**MEMORANDUM OPINION AND ORDER**

On June 17, 2016, Petitioner filed a letter seeking review of his conviction to determine whether he was entitled to relief pursuant to the Supreme Court’s decision in *Johnson v. United States*, 135 S.Ct. 2251 (2015). ECF No. 136. Petitioner’s letter was docketed as a Motion to Vacate and the Court issued an Order granting him 28 days to supplement his Motion. ECF No. 137. No such supplement was received within that time frame.<sup>1</sup> On this basis alone, Petitioner’s Motion will be dismissed. Additionally, to the extent Petitioner’s Motion is based on the notion that his conviction for bank robbery would not be sufficient to support his conviction pursuant to 18 U.S.C. § 924(c), the Motion would fail on substantive grounds as well. *United States v. McNeal*, 818 F.3d 141 at 157 (4<sup>th</sup> Cir. 2016) (holding that bank robbery is a crime of violence within the meaning of the force clause of 18 U.S.C. § 924(c)).

Thus, it is hereby **ORDERED**, by the United States District Court for the District of Maryland, that:

1. Petitioner’s Motion to Vacate, ECF No. 136, is **DENIED**; and

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<sup>1</sup> Years later, Petitioner did submit additional letters seeking assistance with his claim. ECF Nos. 158, 159, 162.

2. The Clerk shall **close** GJH-16-2246.

Date: January 10, 2022

/s/  
GEORGE J. HAZEL  
United States District Judge