

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

LAWRENCE EDWARD WILLIAMS, )  
                                  )  
                                  )  
Movant,                    )  
                                  )  
                                  )  
v.                            )                                    No. 4:15CV1651 AGF  
                                  )  
                                  )  
UNITED STATES OF AMERICA, )  
                                  )  
                                  )  
                                  )  
Respondent,                )

**MEMORANDUM AND ORDER**

Lawrence Williams moves the Court to modify his sentence under 28 U.S.C. § 2255. He bases his motion, in part, under *Johnson v. United States*, 135 S.Ct. 2551 (2015). *Johnson*, however, does not apply to movant's claims for relief under § 2255 because he was not sentenced under the Armed Career Criminal Act (the “ACCA”), 18 U.S.C. § 924(e)(2)(B)(ii). As such, the Court will dismiss movant's *Johnson* claim and will order the government to respond to movant's remaining claims. *See* 28 U.S.C. § 2255, Rule 4.<sup>1</sup>

In *Johnson*, the Court found that the “residual clause” of the ACCA was void for vagueness. Defendants sentenced under the ACCA face a mandatory minimum of fifteen years under 18 U.S.C. § 924(e)(1).

Although Williams was convicted of being a felon in possession of a firearm, he was not sentenced under the ACCA. Williams was convicted of violating 18 U.S.C. § 922(g)(1) and was sentenced to 66 months' imprisonment. *United States v. Williams*, 4:13CR128 AGF (E.D. Mo.). Under § 2K2.1 of the United States Sentencing Guidelines, he was given an enhancement because he had “sustain[ed] one [prior] felony conviction of either a crime of violence or a

---

<sup>1</sup> The Court will grant the Federal Public Defender's request to withdraw from its representation of movant because *Johnson* does not apply to movant's claims for relief.

controlled substance offense.” The enhancement was predicated on a 1992 Missouri first degree robbery conviction. In that case, Williams forcibly stole two automobiles, money, and a purse, and in the course thereof, he displayed a sawed-off shotgun. *Id.* The conviction qualifies as a crime of violence. As a result, Williams is not entitled to relief under *Johnson*.

Accordingly,

**IT IS HEREBY ORDERED** that Williams’s *Johnson* claim is **DENIED AND DISMISSED**.

**IT IS FURTHER ORDERED** that counsel’s motion to withdraw [Doc. #5] is **GRANTED**.

The Court will issue a separate Case Management Order simultaneously with this Memorandum and Order.

Dated this 18th day of December, 2015.

  
AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE