

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

TOMMIE WEBB,)	
)	
Movant,)	
)	
v.)	No. 4:16CV631 JCH
)	
UNITED STATES OF AMERICA,)	
)	
Respondent,)	

MEMORANDUM AND ORDER

This matter is before the Court upon its own review. On June 7, 2016, the Court issued a Memorandum and Order in this case relative to movant’s pro se motion to vacate.

On that date, the Court forwarded movant’s § 2255 motion to the Office of the Public Defender for the Eastern District of Missouri and provided the Office forty-five (45) days to review movant’s criminal history in order to decide whether movant had a potential argument for sentence reduction under *Johnson v. United States*, 135 S.Ct. 2551 (2015). To date, the Office of the Public Defender has not responded to the Court’s Order.

Accordingly,

IT IS HEREBY ORDERED the Clerk of Court is directed to forward a copy of this Memorandum and Order, as well as the Court’s June 7, 2016 Memorandum and Order, to the Office of the Federal Public Defender for the Eastern District of Missouri.

IT IS FURTHER ORDERED that the Public Defender shall notify this Court, within forty-five (45) days of the date of this Order, whether it will be pursuing movant’s arguments under *Johnson*, either by filing a written notice in this action of their intent to represent movant, or by filing an amended motion to vacate, brought pursuant to 28 U.S.C. § 2255, also in this

action, or a request in the Court of Appeals for leave to bring a successive § 2255 motion, as required by 28 U.S.C § 2244(b)(3).

Dated this 25th day of July, 2016.

\s/ Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE