

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

ERIC EARNEST,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent,

No. 4:16CV1112 ERW

**MEMORANDUM AND ORDER**

By Order dated July 11, 2016, the Court referred this case to the Federal Public Defender and provided forty-five (45) days for review to determine whether to represent movant in bringing a claim for reduction of his sentence under Johnson v. United States, 135 S.Ct. 2551 (2015). That time period has expired and nothing has been filed.

Accordingly,

**IT IS HEREBY ORDERED** that the Public Defender must notify the Court no later than **Wednesday, September 21, 2016**, whether it intends to represent movant on this matter.

Dated this 2nd day of September, 2016.



---

E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE