

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK
 -----X
 GARY JACKSON,

Movant,

- against -

UNITED STATES OF AMERICA,

Respondent.
 -----X

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

ORDER

16 Civ. 4510 (NRB)
 01 Cr. 450-3(NRB)

On June 14, 2016, Gary Jackson filed a "placeholder" petition pursuant to 28 U.S.C. § 2255 to vacate his conviction under 18 U.S.C. § 924(c) in light of the Supreme Court's decision in Johnson v. United States, 135 S. Ct. 2551 (2015). Resolution of Jackson's petition was stayed pending the Supreme Court's decision in United States v. Davis, 134 S. Ct. 2319 (2019).

Consistent with Davis, this Court held a hearing on January 9, 2020 at which: (1) the government consented to a vacatur of Jackson's conviction under 18 U.S.C. § 924(c); and (2) Jackson was resentenced on his remaining counts of conviction. The January 9, 2020 hearing having granted the relief requested in Jackson's § 2255 motion, that motion is hereby DENIED as moot.

The Clerk of Court is respectfully directed to close case number 16 Civ. 4510 and to terminate the motions pending at docket

numbers 343 and 355 in case number 01 Cr. 450-3.

SO ORDERED.

Dated: New York, New York
January 13, 2020



NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE