

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:16-cv-397-RJC
(3:05-cr-229-RJC-1)**

DANIEL R. SAWYER,)
)
 Petitioner,)
)
 vs.) **ORDER**
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)
 _____)

THIS MATTER is before the Court upon the Government’s motion to stay disposition of this collateral proceeding pending a decision by the Supreme Court in Beckles v. United States, 137 S. Ct. 886 (2017). (Doc. No. 6). The Court issued its decision in Beckles on March 6, 2017, rendering the Government’s Motion moot.

According to Rule 4(b) of the Rules Governing Section 2255 Proceedings, the Court must examine the § 2255 motion, any attached exhibits, and the record of the prior proceedings and determine whether Petitioner may be entitled to any relief. The Court has conducted an initial review and finds that the Government should respond to Petitioner’s § 2255 motion.

IT IS, THEREFORE, ORDERED that the Government’s motion to hold this action in abeyance (Doc. No. 6) is **DISMISSED** as moot.

IT IS FURTHER ORDERED that the Government shall file an answer, motion, or other response to Petitioner’s § 2255 motion within fifty (50) days from entry of this Order.

Signed: May 18, 2017



Robert J. Conrad, Jr.
United States District Judge

