

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-cv-00504-MOC
(3:16-cr-00074-MOC-DCS-3)**

| | | |
|----------------------------------|---|---------------------|
| LAMANUEL WYNN, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | <u>ORDER</u> |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

THIS MATTER is before the Court on Petitioner’s “Motion to Lift 10/19/2017 Abeyance” [Doc. 6].

Petitioner’s Pro Se Section 2255 Motion to Vacate Sentence [Doc. 1] has been stayed since October 19, 2017, pending the decision of the Fourth Circuit Court of Appeals in United States v. Ali, No. 15-4433. The Fourth Circuit stayed Ali pending the Supreme Court’s decision in United States v. Davis, No. 18-431. On June 24, 2019, the Supreme Court decided Davis.

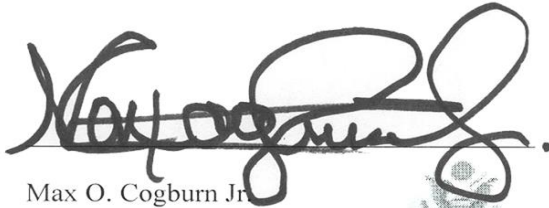
Petitioner now moves to have the stay in this matter lifted and the Government ordered to respond to Petitioner’s Section 2255 motion within thirty (30) days. On review of the file of Petitioner’s criminal proceedings, the Court will grant Petitioner’s motion.

IT IS, THEREFORE, ORDERED that:

(1) Petitioner’s Motion to Lift Stay [Doc. 6] is **GRANTED** and the stay in this matter is hereby **LIFTED**.

(2) The Government shall have thirty (30) days from this Order to file its response in this matter.

Signed: October 8, 2019

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written over a horizontal line. The signature is stylized with large loops and a trailing flourish.

Max O. Cogburn Jr.
United States District Judge

