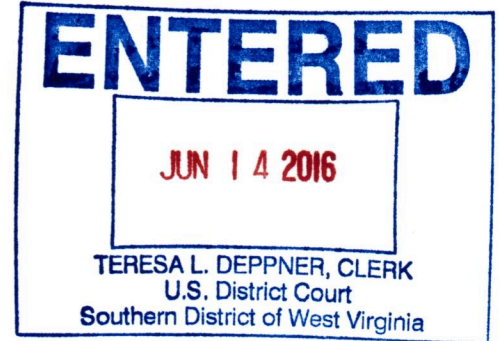


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

RE: **STANDING ORDER FOR DISCLOSURE OF
PRESENTENCE INVESTIGATION REPORTS TO
DETERMINE RETROACTIVE APPLICATION OF
JOHNSON V. UNITED STATES, 135 S.Ct. 2551 (2015)**



ORDER

The Court issues this Order for purposes of judicial efficiency. In anticipation of the review of cases potentially affected by the decision in *Johnson v. United States*, 135 S. Ct. 2551 (2015), **IT IS HEREBY ORDERED** that the Chief United States Probation Officer for the Southern District of West Virginia shall disclose to the Federal Public Defender or Court-appointed Panel counsel and the United States Attorney the Presentence Investigation Report (“PSR”) in any case identified by the United States Sentencing Commission as potentially being eligible for relief under *Johnson*. This includes, but is not limited to, those cases in which the defendant was convicted or sentenced under (1) the Armed Career Criminal Act; (2) as a career offender; (3) under 18 U.S.C. §924(c) for the use, carrying, or possession of a firearm during the commission of a crime of violence; or (4) any other authority in which the definition of a crime of violence contains a residual clause. Review of the PSR is essential to allow those parties to determine whether those defendants may qualify for federal habeas relief under either 28 U.S.C. § 2255 or 28 U.S.C. § 2241 in light of *Johnson*.

The Court’s Standing Order of May 20, 2016, for disclosure of PSRs for career offender cases is hereby **ABROGATED** as of the date of the entry of this Order.

The Court's Standing Order of May 31, 2016, referring certain petitions filed under *Johnson* to Magistrate Judge Dwane L. Tinsley for Armed Career Criminal Act defendants remains in full force and effect. All other *Johnson* matters will be assigned and referred for disposition pursuant to the Standing Order In Re: Assignment and Referral of Civil Actions and Matters to Magistrate Judges entered January 4, 2016.

ENTERED this 14th day of June, 2016.

ENTER:

A handwritten signature in black ink, appearing to read "Robert C. Chambers", written in a cursive style.

ROBERT C. CHAMBERS
Chief Judge, United States District Court