

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

IN RE: PETITIONS FOR
RETROACTIVE APPLICATION OF
JOHNSON v. UNITED STATES,
135 S. Ct. 2551 (2015).

GENERAL ORDER #54

AND NOW, this 11th day of August 2015, pursuant to the provisions of the Criminal Justice Act, 18 U.S.C. § 3006A(a)(1) and (c), and because of the need to efficiently process petitions under *Johnson v. United States*, 135 S. Ct. 2551 (2015),

IT IS HEREBY ORDERED that the Federal Public Defender for the Northern District of New York is appointed to represent any defendant who was previously determined to have been entitled to appointment of counsel, or who is now indigent, to determine whether that defendant may qualify for federal habeas relief under either 28 U.S.C. § 2255 or 28 U.S.C. § 2241 in light of *Johnson*, and to present any petitions, motions or, applications relating thereto to the Court for disposition.

In addition, the Court shall establish a procedure to promptly notify the Federal Public Defender of possible pending *pro se* motions and petitions seeking relief under *Johnson*, so the Federal Public Defender can

assume representation in a timely fashion. If the Federal Public Defender is aware of any such pending petitions, it is to so advise the Court. The Court hereby directs the Clerk to establish a procedure to notify the Federal Public Defender, Lisa A. Peebles, by email when a petition for a writ of habeas corpus is filed pursuant to 28 U.S.C. § 2255 or 2241 so that the Federal Public Defender can review the petition, determine whether it involves a claim under *Johnson*, and notify the assigned Judge, thereby seeking appointment pursuant to this order.

FOR THE COURT:



Gary L. Sharpe
Chief U.S. District Judge