

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

IN THE MATTER OF REASSIGNMENT
OF CASE NO. 1:16-CV-986

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MICHAEL JOSIAH WINTERS,

Movant,

v.

Administrative Order No. 16-CA-080

UNITED STATES OF AMERICA,

Respondent.

_____/

This is a new Section 2255 action related to the underlying criminal case in *United States v. Michael Josiah Winters*, Case No. 1:05-CR-99. The Honorable David W. McKeague was the assigned trial judge for the criminal case. Upon his elevation to the Sixth Circuit Court of Appeals, the criminal case was reassigned to the Honorable Robert Holmes Bell. Defendant pleaded guilty on January 23, 2006, and was sentenced before Judge Bell on July 19, 2006. The Honorable Janet T. Neff thereafter became Judge McKeague's successor in office, and the underlying criminal case was reassigned to her on June 27, 2008.

This new Section 2255 action was assigned to Judge Neff because of her current status as the assigned District Judge on the underlying criminal file. The sentencing decision at issue, however, goes back to the original sentencing by the Honorable Robert Holmes Bell. Moreover, Judge Bell has already presided over Movant's first Section 2255. Now that the Sixth Circuit has permitted Movant to bring a second or successive action solely on a possible *Johnson* issue, the Section 2255 matter should be reassigned to the sentencing judge.

Accordingly, IT IS ORDERED that the § 2255 motion in civil Case No. 1:16-CV-986 shall be reassigned to the Honorable Robert Holmes Bell as the original sentencing judge. The underlying criminal case, 1:05-CR-99, shall remain assigned to the Honorable Janet T. Neff for any other post-judgment matters.

Date: 8/9/2016



ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE

NOTICE TO THE PARTIES FROM THE CLERK OF COURT:

Case number 1:16-cv-986 has been reassigned to the: Honorable Robert Holmes Bell.

All future filings shall reflect his name.