

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

GENERAL ORDER 16-1

April 5, 2016

**SUPPLEMENTAL STANDING PROCEDURAL ORDER RE:
APPOINTMENT OF COUNSEL AND MOTIONS FOR RELIEF
FROM A CONVICTION OR SENTENCE UNDER
28 U.S.C. § 2255, OR OTHER AUTHORITY, BASED ON
JOHNSON V. UNITED STATES, 135 S.Ct. 2551 (2015)**

This Standing Procedural Order supplements the Court’s earlier order governing requests for appointment of counsel under the Criminal Justice Act (“CJA”), 18 U.S.C. § 3006A, and motions for relief under 28 U.S.C. § 2255, or other authority, by defendants convicted of a criminal offense in this Court whose sentences may be subject to challenge as a result of *Johnson v. United States*, 135 S.Ct. 2551 (2015).

- 1) The Federal Public Defender and the chair of the Criminal Justice Act Board shall compile a list of attorneys, admitted to the bar of this Court, who are willing to accept appointments to represent defendants seeking habeas relief under *Johnson* and who are qualified to do so. In addition, each attorney must be either:
 - a) A current member of the CJA panel for this Court;
 - b) a current member of the CJA panel for the U.S. Court of Appeals for the First Circuit; or
 - c) have significant experience in federal habeas work.
- 2) The Federal Public Defender, after screening cases to eliminate those that do not present colorable claims, shall assign cases to lawyers on the list of eligible lawyers randomly. The Federal Public Defender is authorized to provide to the assigned lawyer any PSR previously

obtained by her office.

3) Once assigned, the lawyer selected shall file a motion seeking appointment by the Court. If the client was not previously found to be indigent, a financial affidavit shall accompany the motion.

So ordered.

/s/ Patti B. Saris
Patti B. Saris
Chief United States District Judge

/s/ Mark Mastroianni
Mark Mastroianni
United States District Judge

/s/ William G. Young
William G. Young
United States District Judge

/s/ Leo T. Sorokin
Leo T. Sorokin
United States District Judge

/s/ Nathaniel M. Gorton
Nathaniel M. Gorton
United States District Judge

/s/ Allison D. Burroughs
Allison D. Burroughs
United States District Judge

/s/ Richard G. Stearns
Richard G. Stearns
United States District Judge

/s/ Rya W. Zobel
Rya W. Zobel
Senior United States District Judge

/s/ George A. O'Toole, Jr.
George A. O'Toole, Jr.
United States District Judge

/s/ Mark L. Wolf
Mark L. Wolf
Senior United States District Judge

/s/ F. Dennis Saylor
F. Dennis Saylor
United States District Judge

/s/ Douglas P. Woodlock
Douglas P. Woodlock
Senior United States District Judge

/s/ Denise J. Casper
Denise J. Casper
United States District Judge

/s/ Edward F. Harrington
Edward F. Harrington
Senior United States District Judge

/s/ Timothy J. Hillman
Timothy J. Hillman
United States District Judge

/s/ Michael A. Ponsor
Michael A. Ponsor
Senior United States District Judge

/s/ Indira Talwani
Indira Talwani
United States District Judge