

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CRIMINAL ACTION
)	No. 00-20072-01-KHV
v.)	
)	CIVIL ACTION
ERIC K. SINGLETON,)	No. 16-2413-KHV
)	
Defendant.)	
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ORDER

This matter is before the Court on defendant’s Motion To Vacate (Doc. #27) filed June 13, 2016, which seeks to vacate his conviction under 18 U.S.C. § 924(c) based on the Supreme Court’s ruling in United States v. Johnson, 135 S. Ct. 2551 (2015). Defendant concedes that the Supreme Court’s decision in Stokeling v. United States, 139 S. Ct. 544 (Jan. 15, 2019), forecloses his claim. See Status Report (Doc. #40) filed January 23, 2019, at 1. Defendant also acknowledges that dismissal of his motion is appropriate. See id. at 2. For substantially the reasons stated in defendant’s Status Report (Doc. #40) and absent objection, the Court dismisses defendant’s Motion To Vacate (Doc. #27).

IT IS THEREFORE ORDERED that defendant’s Motion To Vacate (Doc. #27) filed June 13, 2016 is **DISMISSED**.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

Dated this 31st day of July, 2019 at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge