

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

Case No. 11-10204-01-JTM

KEANDRE JOHNSON,  
Defendant.

MEMORANDUM AND ORDER

This matter is before the court on defendant Keandre Johnson's Motion to Vacate Sentence (Dkt. 59), arguing that his sentence was excessive in light of *Johnson v. United States*, 135 S.Ct. 2551 (2015), and for Appointment of Counsel (Dkt. 61). The government has responded by requesting a stay of the action, pending the Supreme Court's resolution of the appeal in *Beckles v. United States*, Docket No. 15-8544 (June 27, 2016), which will likely resolve the question of whether the reasoning of *Johnson* applies to the Sentencing Guidelines. The defendant Johnson has filed to opposition to a stay.

Accordingly, for good cause shown, the action is hereby stayed. In light of this stay, defendant's request for appointment of counsel (Dkt. 61) is denied without prejudice.

IT IS SO ORDERED this 2<sup>nd</sup> day of November, 2016.

s/ J. Thomas Marten  
J. THOMAS MARTEN, JUDGE