

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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No. 18-10666  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

April 6, 2020

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

LOUIS GENE WILLIAMS,

Defendant - Appellant

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 1:16-CV-110

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Before BARKSDALE, HAYNES, and ENGELHARDT, Circuit Judges.

PER CURIAM:\*

Louis Gene Williams, federal prisoner # 35423-177, contests the district court's denial on the merits (and, alternatively, dismissal as time-barred) of his 28 U.S.C. § 2255 motion, challenging his sentence under the Armed Career Criminal Act (ACCA), 18 U.S.C. § 924(e), which arose from his 2006 guilty-plea conviction for being a felon in possession of a firearm. In his counseled § 2255 motion, Williams asserted that, because the residual clause of the ACCA's

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\* Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Cir. R. 47.5.4.

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“violent felony” definition was deemed unconstitutional in *Johnson v. United States*, 135 S. Ct. 2551 (2015), he no longer had three qualifying violent-felony convictions to justify his enhanced sentence under the ACCA. Our court granted Williams a certificate of appealability on the following two issues: whether the district court erred in dismissing the § 2255 motion as time-barred; and whether it erred in rejecting his constitutional claims under *Johnson*. (For the reasons that follow, we need not reach the time-bar issue.)

The ACCA “imposes a fifteen-year minimum sentence on a defendant who is convicted of being a felon in possession of a firearm and has three previous convictions for ‘violent felon[ies]’ or ‘serious drug offense[s]’”. *United States v. Griffin*, 946 F.3d 759, 760 (5th Cir. 2020) (alterations in original) (citing 18 U.S.C. § 924(e)(1)).

The [ACCA] defines “violent felony” as a crime punishable by more than a year of imprisonment that (1) “has as an element the use, attempted use, or threatened use of physical force against the person of another” (the elements clause); (2) is burglary, arson, extortion, or involves the use of explosives (the enumerated offenses clause); or (3) “otherwise involves conduct that presents a serious potential risk of physical injury to another” (the residual clause).

*Id.* (citations omitted).

*Johnson*, however, held the residual clause unconstitutionally vague, and this rule “retroactively applies to cases on collateral review”. *Griffin*, 946 F.3d at 760 (citations omitted). But, even assuming the sentencing district court relied on the now-unconstitutional residual clause in classifying Williams’ convictions as violent felonies for ACCA purposes, such reliance is “harmless if [defendant’s] three convictions also satisf[y] the other, still-valid definitions of ‘violent felony’”. *Id.* at 761.

Williams has been convicted of, among other offenses, four potential ACCA predicates, which he acknowledged in the factual resume accompanying

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his plea agreement for his 2006 conviction: attempted murder, in violation of Texas Penal Code § 19.02(a)(1); aggravated robbery, in violation of Texas Penal Code § 29.03(a); burglary of a habitation, in violation of Texas Penal Code § 30.02(a); and aggravated assault with a deadly weapon, in violation of Texas Penal Code § 22.02(a)(4) (now codified at Texas Penal Code § 22.02(a)(2)). He contends, *inter alia*, that his convictions for aggravated robbery, burglary of a dwelling, and aggravated assault with a deadly weapon are not violent felonies within the meaning of the ACCA. (Williams has abandoned, for failure to brief, any claim that his attempted-murder conviction does not constitute an ACCA-predicate offense. *See, e.g., Yohey v. Collins*, 985 F.2d 222, 224–25 (5th Cir. 1993).)

Because Williams did not raise in district court the rationales he now asserts in support of these contentions, however, review is only for plain error. *E.g., United States v. Broussard*, 669 F.3d 537, 546 (5th Cir. 2012). Under that standard, Williams must show a forfeited plain error (clear or obvious error, rather than one subject to reasonable dispute) that affected his substantial rights. *Puckett v. United States*, 556 U.S. 129, 135 (2009). If he makes that showing, we have the discretion to correct such reversible plain error, but generally should do so only if it “seriously affect[s] the fairness, integrity or public reputation of judicial proceedings”. *Id.* (If, however, we applied the less limited standard of review for errors preserved in district court, the result would be the same.)

The requisite clear or obvious error is lacking for the conclusions about the following three convictions. Williams’ convictions for aggravated robbery and aggravated assault with a deadly weapon constitute violent felonies under the ACCA’s elements clause, 18 U.S.C. § 924(e)(2)(B)(i). *See Griffin*, 946 F.3d at 762 & n.2; *United States v. Torres*, 923 F.3d 420, 426 (5th Cir. 2019); *United*

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*States v. Burris*, 920 F.3d 942, 945–46, 948, 958 (5th Cir. 2019), *petition for cert. filed*, (U.S. 3 Oct. 2019) (No. 19-6186). Additionally, his conviction for burglary of a habitation constitutes a violent felony under the ACCA’s enumerated-offenses clause, 18 U.S.C. § 924(e)(2)(B)(ii). *See United States v. Herrold*, 941 F.3d 173, 175, 177, 182 (5th Cir. 2019) (en banc), *petition for cert. filed*, (U.S. 21 Feb. 2020) (No. 19-7731).

AFFIRMED.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION

LOUIS GENE WILLIAMS,	)	
	)	
Movant,	)	CIVIL ACTION NO.
	)	1:16-CV-110-C
v.	)	CRIMINAL NO.
	)	1:06-CR-029-01-C
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**ORDER**

On June 20, 2016, Louis Gene Williams (represented by the Federal Public Defender) filed his Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody, seeking relief pursuant to the Supreme Court's decision in *Johnson v. United States*, 135 S. Ct. 2551 (2015). The United States of America timely filed its Response on August 19, 2016. Williams did not file any reply.

Williams pleaded guilty to being an armed career criminal in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(e). On December 7, 2006, he was sentenced under the Armed Career Criminal Act of 1984 (ACCA) to a 235-month term of imprisonment. He did not appeal his conviction or sentence. On May 23, 2016, the Court appointed the Federal Public Defender to review Williams' case "to determine whether the conviction qualifies for relief under *Johnson* . . . and, if so, to represent [Williams] in seeking the appropriate relief." This § 2255 Motion—filed by the Federal Public Defender pursuant to that appointment order—is Williams' first.

Williams pleads that he is entitled to relief under the Supreme Court's decision in *Johnson v. United States*, which held that the "residual clause" of the ACCA is unconstitutionally vague. 135 S. Ct. 2551 (2015); 18 U.S.C. § 924(e)(2)(B)(ii). Specifically, he contends that he has "at least two" prior convictions that fall within the residual clause of the ACCA and that his sentence should now be reduced in light of *Johnson*'s holding. In *Welch v. United States*, 136 S. Ct. 1257 (2016), the Supreme Court held that its decision in *Johnson* announced a new substantive rule of constitutional law that applies retroactively in a collateral challenge to an ACCA residual clause sentence. The United States argues that (1) Williams waived his right to file any § 2255 Motion in his plea agreement; and (2) even if his Motion were not procedurally barred, Williams continues to qualify as an armed career criminal because he has four predicate offenses that fall under the ACCA's enumerated offenses or "force clause," and these portions of the statute were not invalidated by *Johnson*.

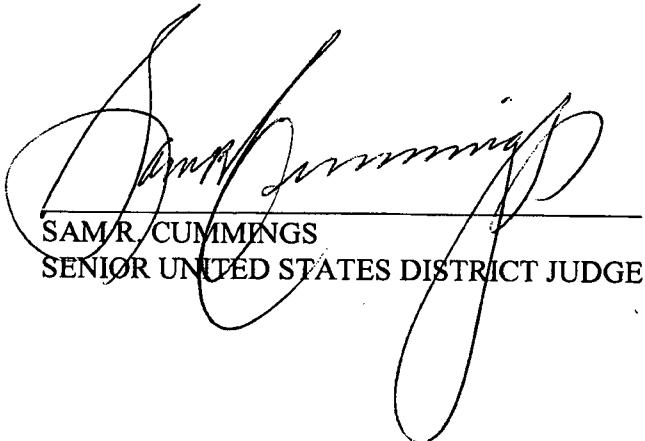
The Court need not address the United States' waiver argument because it finds the alternative argument to be a compelling reason for denying the Motion. Williams was sentenced under the ACCA, but the Court is of the opinion that Williams has failed to show that he was sentenced under the residual clause of the ACCA. For the reasons stated in Part 2 of the United States' Response, the Court finds that Williams continues to qualify for an enhanced ACCA sentence even following the Supreme Court's holding concerning the residual clause in *Johnson*. Finally, The Court is of the opinion that—because *Johnson* does not directly apply—Williams' motion is otherwise time-barred because it was filed more than one year after the Court's judgment became final. 28 U.S.C. § 2255(f)(1).

The Court has carefully considered Williams' Motion, the United States' Response, and the relevant records, and is of the opinion that Williams' Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody should be **DENIED** and **DISMISSED with prejudice** for the reasons stated herein, as well as those more thoroughly set forth in Part 2 of the United States' thorough and well-drafted Response.<sup>1</sup>

All relief not expressly granted is **DENIED**.

Pursuant to Rule 22 of the Federal Rules of Appellate Procedure and 28 U.S.C. § 2253©, this Court finds that a certificate of appealability should be denied. For the reasons set forth herein, Williams has failed to show that a reasonable jurist would find (1) this Court's "assessment of the constitutional claims debatable or wrong" or (2) "it debatable whether the petition states a valid claim of the denial of a constitutional right" and "debatable whether [this Court] was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

SO ORDERED this 5<sup>th</sup> day of April, 2018.



SAM R. CUMMINGS  
SENIOR UNITED STATES DISTRICT JUDGE

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<sup>1</sup>The Court need not decide the waiver issue in light of the United States' compelling alternative argument. Therefore, the Court does not adopt the reasoning in Part 1 of the United States' Response for the purposes of this Order.

## United States District Court

Northern District of Texas  
Abilene Division

UNITED STATES OF AMERICA

v.

LOUIS GENE WILLIAMS  
Defendant.

U.S. DISTRICT COURT  
Case 1:06-cr-00029-C-BL Document 30 Filed 12/07/06  
NORTHERN DISTRICT OF TEXAS  
**FILED**

DEC - 7 2006

CLERK, U.S. DISTRICT COURT  
By \_\_\_\_\_  
Deputy

Case Number 1:06-CR-029-01-C  
USM No. 35423-177

**JUDGMENT IN A CRIMINAL CASE**  
**(For Offenses Committed On or After November 1, 1987)**

The defendant, LOUIS GENE WILLIAMS, was represented by Shery Kime-Goodwin.

On motion of the United States, the court has dismissed the remaining counts of the indictment as to this defendant.

The defendant pleaded guilty to count 1 of the indictment filed on 05/10/2006. Accordingly, the court has adjudicated that the defendant is guilty of the following offenses:

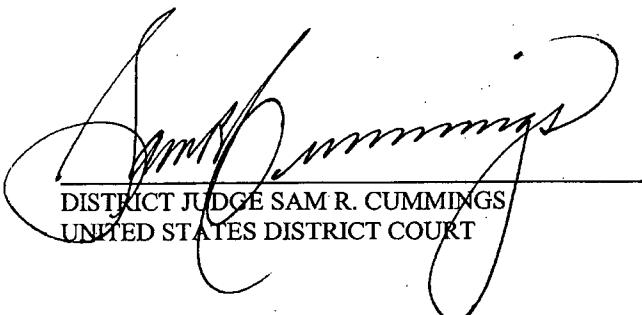
<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>	<u>Count Number</u>
18 USC § 922(g)(1) [Penalty found in 18 USC § 924(e)]	Armed Career Criminal in Possession of a Firearm	12/23/2005	1

As pronounced on 12/07/2006, the defendant is sentenced as provided in pages 1 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$100.00, for count 1, which shall be due immediately. Said special assessment shall be made to the Clerk, U.S. District Court.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Signed this the 7th day of December, 2006.



\_\_\_\_\_  
DISTRICT JUDGE SAM R. CUMMINGS  
UNITED STATES DISTRICT COURT

18-10666.162

Defendant: LOUIS GENE WILLIAMS  
Case Number: 1:06-CR-029-01-C

Judgment--Page 2 of 4

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 235 months with this term of imprisonment to run consecutive with any sentence imposed in Case No. 3239 from the 32<sup>nd</sup> District Court of Fisher County, Roby, Texas.

The defendant shall remain in custody pending service of sentence.

### RETURN

I have executed this Judgment as follows:

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Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

18-10666.163

## SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

*For offenses committed on or after September 13, 1994:*

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

- The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse.
- The defendant shall not possess a firearm, destructive device or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Fine and Restitution sheet of the judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page.

## STANDARD CONDITIONS OF SUPERVISION

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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Defendant: LOUIS GENE WILLIAMS  
Case Number: 1:06-CR-029-01-C

Judgment--Page 4 of 4

### **SPECIAL CONDITIONS OF SUPERVISION**

While the defendant is on supervised release pursuant to this Judgment:

1. The defendant shall participate in a program (inpatient and/or outpatient) approved by the U.S. Probation Office for treatment of narcotic, drug, or alcohol dependency, which will include testing for the detection of substance use or abuse. The defendant shall abstain from the use of alcohol and/or all other intoxicants during and after completion of treatment. The defendant shall contribute to the costs of services rendered (copayment) at a rate of at least \$10.00 per month.
2. The defendant shall cooperate in the collection of DNA as directed by the U.S. Probation Officer, as authorized by the Justice for All Act of 2004.

**18-10666.165**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS**

**MOTION UNDER 28 U.S.C. SECTION 2255,  
TO VACATE, SET ASIDE, OR CORRECT SENTENCE BY A  
PERSON IN FEDERAL CUSTODY**

UNITED STATES OF AMERICA

Florence High USP

PLACE OF CONFINEMENT

vs.

35423-177

PRISONER ID NUMBER

LOUIS GENE WILLIAMS

MOVANT (full name of movant)

1:06-cr-00029-C-BL-1

CRIMINAL CASE NUMBER

(If a movant has a sentence to be served in the future under a federal judgment which he wishes to attack, he should file a motion in the federal court which entered the judgment.)

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**INSTRUCTIONS - READ CAREFULLY**

1. This motion must be legibly handwritten or typewritten, and signed by the movant under penalty of perjury. Any false statement of a material fact may serve as the basis for prosecution and conviction for perjury. All questions must be answered concisely in the proper space on the form.
2. Additional pages are not permitted except with respect to the facts which you rely upon to support your grounds for relief. No citation of authorities needs to be furnished. If briefs or arguments are submitted, they should be submitted in the form of a separate memorandum.
3. Upon receipt, your motion will be filed if it is in proper order. No fee is required with this motion.

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4. If you do not have the necessary funds for transcripts, counsel, appeal, and other costs connected with a motion of this type, you may request permission to proceed *in forma pauperis*, in which event you must execute the declaration provided with this motion, setting forth information establishing your inability to prepay the fees and costs or give security therefor. If you wish to proceed *in forma pauperis*, you must have an authorized officer at the penal institution complete the certificate as to the amount of money and securities on deposit to your credit in any account in the institution.
5. Only judgments entered by one court may be challenged in a single motion. If you seek to challenge judgments entered by different judges or divisions either in the same district or in different districts, you must file separate motions as to each such judgment.
6. Your attention is directed to the fact that you must include all grounds for relief and all facts supporting such grounds for relief in the motion you file seeking relief from any judgment of conviction.
7. When the motion is fully completed, the original and two copies must be mailed to the Clerk of the United States District Court for the Northern District of Texas at the appropriate divisional office whose address is:

Abilene Division

P.O. Box 1218  
Abilene, TX 79604

Amarillo Division

205 E. 5th St, Rm 133  
Amarillo, TX 79101

Dallas Division

1100 Commerce, Rm 1452  
Dallas, TX 75242

Fort Worth Division

501 W. 10th St, Rm 310  
Fort Worth, TX 76102

Lubbock Division

1205 Texas Ave., Rm 209  
Lubbock, TX 79401

San Angelo Division

33 East Twohig St, Rm 202  
San Angelo, TX 76903

Wichita Falls Division

P.O. Box 1234  
Wichita Falls, TX 76307

8. Motions which do not conform to these instructions will be returned with a notation as to the deficiency.

18-10666.169

## MOTION

1. Name and location of court that entered the judgment of conviction you are challenging:

U.S. District Court, Northern District of Texas, Abilene Division

2. Date of the judgment of conviction:

12/07/2006

3. Length of sentence: 235 months imprisonment, 5 years supervised release

4. Nature of offense involved (all counts):

Armed Career Criminal in Possession of a Firearm in violation of 18 U.S.C. § 922(g)(1) with the penalty found at 18 U.S.C. § 924(e).

5. (a) What was your plea? (Check one)

Not guilty  Guilty  Nolo contendere (no contest)

(b) If you entered a guilty plea to one count or indictment, and a not guilty plea to another count or or indictment, what did you plead guilty to and what did you plead not guilty to?

6. If you went to trial, what kind of trial did you have? (Check one) Jury  Judge Only

7. Did you testify at the trial? (Check one) Yes  No

8. Did you appeal from the judgment of conviction? (Check one) Yes  No

9. If you did appeal, answer the following:

Name of Court: \_\_\_\_\_

Result: \_\_\_\_\_

Date of result: \_\_\_\_\_

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10. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions with respect to this judgment in any federal court?

Yes  No

11. If your answer to 10 was "Yes" give the following information:

Name of Court: \_\_\_\_\_

Nature of proceeding: \_\_\_\_\_

Grounds raised: \_\_\_\_\_

Did you receive an evidentiary hearing on your petition, application or motion?

Yes  No

Result: \_\_\_\_\_

Date of result: \_\_\_\_\_

As to any *second* petition, application or motion, give the same information:

Name of Court: \_\_\_\_\_

Nature of proceeding: \_\_\_\_\_

Grounds raised: \_\_\_\_\_

Did you receive an evidentiary hearing on your petition, application or motion?

Yes  No

Result: \_\_\_\_\_

Date of result: \_\_\_\_\_

18-10666.171

As to any *third* petition, application or motion, give the same information:

Name of Court: \_\_\_\_\_

Nature of proceeding: \_\_\_\_\_

Grounds raised: \_\_\_\_\_

Did you receive an evidentiary hearing on your petition, application or motion?

Yes  No

Result: \_\_\_\_\_

Date of result: \_\_\_\_\_

Did you appeal to an appellate federal court having jurisdiction, the result of action taken on any petition, application or motion?

First petition, etc. Yes  No

Second petition, etc. Yes  No

Third petition, etc. Yes  No

If you did not appeal from the adverse action on any petition, application or motion, explain briefly why you did not:

\_\_\_\_\_

18-10666.172

12. State concisely every ground on which you claim that you are being held unlawfully. Summarize briefly the facts supporting each ground. If necessary, you may attach pages stating additional grounds and facts supporting same.

**CAUTION:** If you fail to set forth all grounds in this motion, you may be barred from presenting additional grounds at a later date.

For your information, the following is a list of the most frequently raised grounds for relief in these proceedings. Each statement preceded by a letter constitutes a separate ground for possible relief. You may raise any grounds which you may have other than those listed. However, you should raise in this petition all available grounds (relating to this conviction) on which you based your allegations that you are being held in custody unlawfully.

**DO NOT CHECK ANY OF THESE LISTED GROUNDS.** If you select one or more of these grounds for relief, you must allege facts. The motion will be returned to you if you merely check (a) through (j) or any of these grounds.

- (a) Conviction obtained by plea of guilty which was unlawfully induced or not made voluntarily or with understanding of the nature of the charge and the consequences of the plea.
- (b) Conviction obtained by use of coerced confession.
- (c) Conviction obtained by use of evidence gained pursuant to an unconstitutional search and seizure.
- (d) Conviction obtained by use of evidence obtained pursuant to an unlawful arrest.
- (e) Conviction obtained by a violation of the privilege against self-incrimination.
- (f) Conviction obtained by the unconstitutional failure of the prosecution to disclose to the defendant evidence favorable to the defendant.
- (g) Conviction obtained by a violation of the protection against double jeopardy.
- (h) Conviction obtained by action of a grand or petit jury which was unconstitutionally selected and impaneled.
- (i) Denial of effective assistance of counsel.
- (j) Denial of right to appeal.

A. Ground One:

After Johnson v. United States, 135 S. Ct. 2551 (2015) and Welch v. United States, 136 S. Ct. 1257 (2016), Defendant does not have three or more prior felony convictions that are violent felonies or serious drug offenses.

Supporting FACTS (tell your story briefly without citing cases or law):

Defendant has four prior convictions the Government claimed were violent felonies: (1) burglary of a habitation; (2) aggravated robbery; (3) attempted murder; and (4) aggravated assault with a deadly weapon. At least two of these offenses fall within the residual clause of the Armed Career Criminal Act.

B. Ground Two:

After Johnson v. United States, 135 S. Ct. 2551 (2015) and Welch v. United States, 136 S. Ct. 1257 (2016), Defendant's sentence is above the statutory maximum.

Supporting FACTS (tell your story briefly without citing cases or law):

Defendant was sentenced to 235 months imprisonment. The maximum term of imprisonment without the Armed Career Criminal Act enhancement for Defendant's instant offense is 120 months.

C. Ground Three:

Supporting FACTS (tell your story briefly without citing cases or law):

D. Ground Four:

Supporting FACTS (tell your story briefly without citing cases or law):

13. If any of the grounds listed in 12A, B, C, and D were not previously presented, state briefly what grounds were not so presented, and give your reasons for not presenting them:

The vagueness of the residual clause was not available to Defendant prior to the Supreme Court's decisions in Johnson v. United States and Welch v. United States.

14. Do you have any petition or appeal now pending in any court as to the judgment under attack?

Yes  No

15. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

(a) At preliminary hearing:

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(b) At arraignment and plea:

Shery Kime-Goodwin  
Office of the Federal Public Defender N.D.TX  
1205 Texas Ave., Room 507  
Lubbock, TX 79401

(c) At trial:

(d) At sentencing:

Shery Kime-Goodwin  
Office of the Federal Public Defender N.D.TX  
1205 Texas Ave., Room 507  
Lubbock, TX 79401

(e) On appeal

(f) In any post-conviction proceeding:

Brandon E. Beck  
Office of the Federal Public Defender N.D.TX  
1205 Texas Ave., Room 507  
Lubbock, TX 79401

(g) On appeal from any adverse ruling in a post-conviction proceeding:

16. Were you sentenced on more than one count of an indictment, or on more than one indictment, in the same court and at approximately the same time?

Yes  No

17. Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack?

Yes  No

(a) If so, give name and location of court which imposed sentence to be served in the future:

(b) And give date and length of sentence to be served in the future:

(c) Have you filed, or do you contemplate filing, any petition attacking the judgment which imposed the sentence to be served in the future?

Yes  No

Wherefore, movant prays that the Court grant petitioner relief to which he may be entitled in this proceeding.

/s/ Brandon Beck

\_\_\_\_\_  
Signature

Federal Public Defender N.D. Texas

\_\_\_\_\_  
Firm Name (if any)

1205 Texas Ave., Room 507

\_\_\_\_\_  
Address

Lubbock, TX 79401

\_\_\_\_\_  
City, State & Zip Code

(806) 472-7236

\_\_\_\_\_  
Telephone (including area code)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.  
Executed on 6/20/2016 (date).

/s/ Brandon Beck o/b/o Louis Gene Williams

\_\_\_\_\_  
Signature of Movant

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