

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA	§	
	§	
V.	§	CRIMINAL NO. B-14-876
	§	
KEVIN LYNDEL MASSEY AND	§	
JOHN FREDERICK FOERSTER	§	

ORDER

The Court has before it two pending motions: (1) a Motion to Dismiss the Indictment [Doc. No. 62] and a Motion to Suppress [Doc. No. 63]. Thinking it prudent to determine the impact, if any, of the forthcoming opinion by the Supreme Court in Henderson v. United States, 575 U.S. ____ (2015), on Defendant’s Motions, this Court had refrained from ruling upon either Motion.

The Supreme Court issued its opinion on May 18, 2015. While this Court does not find any impact on the pending motions, the Court will allow both parties an opportunity to review this case. If either party feels that the Supreme Court’s opinion changes any previously articulated position, a short brief explaining that change should be filed by close of business on **May 29, 2015**.

Signed this 20th day of May, 2015.



Andrew S. Hanen
United States District Judge