

Petitioner contends that his sentence under the Armed Career Criminal Act, 18 U.S.C. § 924(e), which was based on a finding that he had three prior convictions for “violent felonies” under the force clause of the ACCA, violates the constitution in light of the Supreme Court’s decision in *Johnson v. United States*, 135 S.Ct. 2551 (2015). Petitioner’s contention, while ultimately rejected by this Court, represents a substantial showing of the denial of a constitutional right. Further, a reasonable jurist could disagree with the Court’s conclusions.

Accordingly, a certificate of appealability is GRANTED as to petitioner’s claim that his sentence under the ACCA was imposed in violation of the Constitution.

So Ordered.

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

Dated: September 11, 2017