

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

IN RE: REQUESTS FOR
COMPASSIONATE RELEASE
2018 FIRST STEP ACT, SECTION 603
18 U.S.C. § 3582(c)(1)(A)

GENERAL ORDER
NO. 2020-8

**PROCEDURAL GENERAL ORDER
REGARDING REQUESTS FOR COMPASSIONATE RELEASE**

On December 21, 2018, the President signed into law the First Step Act of 2018, Pub. L. No 115-391, 132 Stat. 5194 (2018). This legislation provides grounds for certain defendants sentenced by this Court to seek relief from their sentences.

Pursuant to the provisions of the Criminal Justice Act, 18 U.S.C. § 3006A(a)(1) and (c), and in order to efficiently process motions and petitions raising potential claims for relief under Section 603 (compassionate release) of the 2018 First Step Act, codified under Title 18 U.S.C. § 3582(c)(1)(A), any such motions filed *pro se* by a defendant previously determined to have been entitled to appointment of counsel and any defendant who is now indigent are referred to the Office of the Federal Public Defender (FPD) for the Middle District of Louisiana for screening purposes to determine whether that defendant may qualify for relief under Section 603 of the First Step Act (18 U.S.C. § 3582(c)(1)(A)), and in appropriate cases, to enroll and present any petitions, motions, or applications to the Court for disposition. The FPD shall have

fifteen (15) days to screen such matters and file a motion to enroll as counsel or to request appointment of counsel from the Criminal Justice Act panel in the case of a prohibitive conflict that would prevent FPD representation of a client or other good cause supports appointment of outside counsel.

If the FPD, a CJA Panel Attorney, or any licensed and admitted attorney files a motion to enroll for purposes of representation under these Compassionate Release provisions, the United States Attorney's Office shall be notified. In all cases where the FPD or CJA Panel enrolls, counsel for the movant shall confer in good faith with counsel for the Government within fifteen (15) days of enrolling. Counsel for the defendant shall have thirty (30) days from the date of enrollment to file any supplemental briefing in support of the request for relief. The Government shall have fifteen (15) days from the filing of the defendant's supplemental brief to file a response.

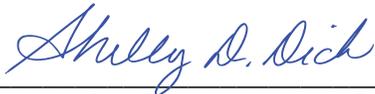
For the purpose of determining the defendant's eligibility for relief under compassionate release provisions of the First Step Act, the United States Probation Office is authorized to disclose the most recent and relevant documents, including but not limited to, Presentence Investigation Reports or Modified Presentence Investigation Reports, and Statements of Reasons, to the FPD, CJA panel members, retained counsel, and the United States Attorney's Office.

If, after expiration of the fifteen (15) day screening period by the FPD a motion to enroll is not filed, the defendant will proceed *pro se* and the Court will thereafter review and rule on any pending Compassionate Release matters and issue any necessary orders.

The United States District Court Clerk's Office is authorized to notify the FPD of any *pro se* motions for relief filed pursuant to Section 603 of the First Step Act (18 U.S.C. § 3582(c)(1)(A)). The FPD shall assist the Clerk's Office in determining whether a particular *pro se* motion for relief is based on this specific section of the First Step Act.

SO ORDERED, this 11th day of May 2020.

FOR THE COURT:



SHELLY D. DICK, CHIEF UNITED STATES DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA