

FILED



8:07 am, 9/25/20

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

**Margaret Botkins
Clerk of Court**

IN RE:

GENERAL ORDER NO. 20-05-A

COMPASSIONATE RELEASE UNDER
SECTION 603(b) OF THE FIRST STEP
ACT OF 2018

**AMENDED GENERAL ORDER TO ALLOW APPOINTMENT OF COUNSEL
FOR COMPASSIONATE RELEASE PROCEEDINGS AND
PROVIDING TIME FOR RESPONSE**

Pursuant to the Criminal Justice Act, Title 18, U.S.C. § 3006A(a)(1) and (c), the Office of the Federal Public Defender for the Districts of Colorado and Wyoming (“Federal Public Defender”) is hereby appointed to represent any defendant convicted in this District and previously determined to have been entitled to appointment of counsel or who is now indigent to determine whether the defendant is eligible to petition the Court for compassionate release under Section 603(b) of the First Step Act of 2018, 18 U.S.C. § 3582(c) and (d), and, where appropriate, to file any motions for compassionate release.

Should the Federal Public Defender conclude that it cannot undertake the representation described in this Order, whether due to conflict or capacity, a member of the Criminal Justice Act (CJA) Panel shall be appointed by the Chief Magistrate Judge to represent the defendant.

In the case of a defendant who previously was represented by a member of

the Criminal Justice Act Panel, and where the CJA counsel expresses a willingness to represent the defendant in pursuing compassionate release, the Chief Magistrate Judge shall give a preference to the previous appointed CJA counsel to determine whether the defendant is eligible to petition the Court for compassionate release under Section 603(b) of the First Step Act of 2018, 18 U.S.C. § 3582(c) and (d), and, where appropriate, to file any motions for compassionate release.

The Clerk's Office shall promptly notify the Federal Public Defender and any CJA counsel previously appointed for a defendant of all *pro se* motions seeking compassionate release. These *pro se* filings will be reviewed by the Federal Public Defender and addressed within the time frame set forth below.

The Federal Public Defender or CJA counsel shall file any supplemental motion or make any request for any additional time to do so within fourteen days from the date of his or her notification by the clerk of court. Unless otherwise ordered by the Court, the government's time to respond to the *pro se* motion shall be stayed until the defendant's appointed counsel files a supplemental motion or the deadline for the same has passed, whichever is earlier.

For purposes of determining eligibility and preparing compassionate release motions, the Court directs the United States Probation Office for the District of Wyoming to disclose Presentence Investigation Reports and Judgments in a Criminal Case to the Federal Public Defender and/or CJA counsel or privately retained counsel.

All requests for compassionate release shall be filed in the original criminal

case. In the event the presiding judge in the original proceeding is no longer serving as a judge in this District, the case shall be reassigned.

IT IS SO ORDERED this 25th day of September 2020.



SCOTT W. SKAVDAHL
CHIEF UNITED STATES DISTRICT JUDGE