

Jul 27 2020

United States District Court
Northern District of Ohio
General Order

AMENDED GENERAL ORDER NO. 2020-07

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

IN RE:)	
)	
MOTIONS UNDER SECTION 603(b))	ORDER NO. 2020-07-1
OF THE FIRST STEP ACT FOR)	
COMPASSIONATE RELEASE)	
)	

Until further notice, the Office of the Federal Public Defender will no longer be appointed to represent any defendant convicted in this District, who was previously determined to have been entitled to appointment of counsel, or who is now indigent, to decide 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. Sections 3582(c) and (d), and, where appropriate, to file a motion for compassionate release

The Court authorizes the disclosure to CJA counsel and to the Office of the United States Attorney for the Northern District of Ohio of all presentence investigation reports and sentencing orders, including those portions of such orders not available through the Court's electronic filing system (statement of reasons), for those inmates who have been identified as being potentially eligible for compassionate release. The disclosure authorized by this Order shall be for the sole purpose of enabling both parties identified above to make a preliminary assessment as to an inmate's potential eligibility for compassionate release.

Each judicial officer shall promptly appoint CJA counsel to all pro se motions and/or letters seeking compassionate release. These pro se filings will be reviewed by CJA counsel and timely addressed.

Within thirty (30) days of the filing of the pro se motion for compassionate release pursuant to Section 603(b) of the First Step Act of 2018, 18 U.S.C. Sections 3582(c)

and (d), CJA counsel will file either a supplemental motion or a statement indicating they will not be filing anything on defendant's behalf.

In the event CJA counsel files a supplemental motion for compassionate release, the United States will have seven (7) days in which to file a response to the motion. If CJA counsel opts not to pursue a filing, the United States need not file a response unless ordered to do so by the Court.

Nothing in this order prevents a Judge from shortening the above time periods if doing so is in the interest of justice in any particular case.

In the event a judicial officer is considering granting a motion for compassionate release, the U.S. Pretrial Services and Probation Office is to be notified immediately, as they are required to investigate a release plan.

IT IS SO ORDERED.

FOR THE COURT



Patricia A. Gaughan
Chief Judge