

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

In Re the Fair Sentencing Act of 2010 and) GENERAL ORDER 2011-8
Petitions for the Retroactive Application of)
Amendments to the Crack Cocaine)
Sentencing Guidelines)

Pursuant to the provisions of The Fair Sentencing Act, the Federal Public Defender for the District of Colorado is hereby appointed to represent any defendant, previously determined to have been entitled to appointment of counsel, and not otherwise actively represented, to determine whether or not that defendant may be eligible for a reduction of sentence and to present any motions or applications for reduction of sentence in accordance with the revised base offense levels for crack cocaine.

Should the Federal Public Defender determine that a defendant previously represented by retained counsel, or a Criminal Justice Act panel attorney, is potentially eligible for a reduction of sentence, the Federal Public Defender shall notify said defendant and prior counsel. In the event that the defendant is financially unable to retain counsel or the Criminal Justice Act panel attorney is no longer available to provide such representation or wishes to decline this representation, the Federal Public Defender will be appointed to represent said defendant, except in cases involving a conflict of interest, in which case a CJA panel attorney will be appointed.

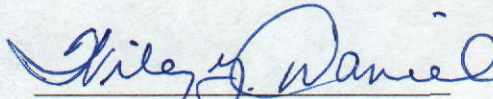
The United States Probation Office is hereby authorized to disclose to the Federal Public Defender's Office, other newly appointed CJA counsel and privately-retained, non-CJA counsel, the Presentence Investigation Report of any defendant who might be eligible for a reduction of sentence based on the retroactive crack cocaine amendment. The Clerk's Office shall notify the Federal Public Defender of all pro se motions to reduce sentence under 18 U.S.C. § 3582(c) (2)

relating to the retroactive crack cocaine amendment.

All motions and pleadings seeking a sentence reduction or opposing such a reduction shall be filed in the original criminal proceeding. In the event that the sentencing judge in the original proceeding is no longer an active judge in this District, the case shall be reassigned on a random basis pursuant to D.C.COLO.LCrR 50.1.

DATED this 19th day of September, 2011, at Denver, Colorado.

BY THE COURT:


Wiley Y. Daniel, Chief Judge