

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

**IN RE: FIRST STEP ACT OF 2018
RETROACTIVE APPLICATION OF
FAIR SENTENCING ACT OF 2010.**

**DISTRICT COURT GENERAL
ORDER 2019 - 1**

Pursuant to the provisions of the Criminal Justice Act, Title 18, U.S.C. § 3006A(a)(1) and (c), the Office of the Federal Public Defender for the District of Colorado is hereby appointed to provide an initial advisement of the application of the First Step Act to all defendants convicted in this District who may be eligible for retroactive relief under Section 404 of the Act, and may pursue relief on behalf of eligible defendants. In the event a conflict of interest prevents the Federal Public Defender from continuing representation of a defendant, the Federal Public Defender will seek appointment of counsel from the Criminal Justice Act Panel. Unless representation is assumed by private counsel or counsel appointed under the Criminal Justice Act, or if the defendant chooses to proceed *pro se*, the Office of the Federal Public Defender shall present any request for reduction of sentence.

The Clerk's Office shall promptly notify the Federal Public Defender of all *pro se* motions for sentence reduction which relate to relief under Section 404 of the First Step Act. Such requests will be reviewed by the Federal Public Defender and addressed in the manner as described above.

The United States Probation Office for the District of Colorado is authorized to disclose Presentence Investigation Reports, Judgments in a Criminal Case, and Statements of Reasons to the Office of the Federal Public Defender, appointed

counsel, or privately retained counsel. The Probation Office is authorized to provide the Office of the Federal Public Defender a complete list, generated by Probation's data quality analyst from the PACTS database, of all known defendants sentenced for any crack cocaine offense on or before August 3, 2010 (the effective date of the Fair Sentencing Act of 2010), whether still incarcerated or on supervised release.

All requests for sentence reduction, opposition to a reduction, or advisements of such matters as are described above shall be filed in the original criminal case. In the event the presiding judge in the original case is no longer a judge in this District, the case shall be reassigned on a random basis pursuant to D.C.COLO.LCrR 50.1.

Dated this 11th day of January, 2019.

BY THE COURT:

A handwritten signature in black ink that reads "Marcia S. Krieger". The signature is written in a cursive style with a horizontal line underneath it.

Marcia S. Krieger

Chief United States District Judge