

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS**

US DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FILED

DEC 7 2023

By Ronald E. Dowling *RWD*
Deputy Clerk

IN THE MATTER OF:)
)
PROVIDING COUNSEL FOR)
UNREPRESENTED PERSONS WHO)
ARE POTENTIALLY ELIGIBLE FOR)
RELIEF UNDER AMENDMENT 821)
TO THE UNITED STATES)
SENTENCING GUIDELINES)
)

GENERAL ORDER 2023-1

Pursuant to the Criminal Justice Act, 18 U.S.C. §§ 3006(a)(1) and (c), and finding that persons presently serving prison terms are financially eligible for appointed counsel under the provisions of that Act, the Office of the Federal Public Defender for the Western District of Arkansas is hereby appointed to represent defendants in criminal cases in this district who (1) may be eligible to seek a reduced or modified sentence based upon Amendment 821 to the United States Sentencing Guidelines, and (2) do not opt to use retained counsel toward that end.


The purposes of this appointed representation may include but are not limited to the following objectives:

1. To assist in identifying persons with a potential claim for relief under Amendment 821, which was made retroactive on August 24, 2023, including persons who may have filed a pro se pleading for relief.
2. To seek any available sentencing relief for such persons through appropriate pleadings, including motions under 18 U.S.C. § 3582(c)(2).
3. To assist in prioritizing those persons with a claim for relief which must be acted upon immediately.
4. To maintain communications with all such persons to learn their wishes and to advise them.
5. To identify any conflict of interest which would require the withdrawal of the Federal Public Defender and the appointment of new counsel.

To give effect to the purposes of this order, the United States Probation Office for the Western District of Arkansas is hereby authorized to cooperate with the Office of the Federal Public Defender in identifying the persons who meet the criteria of inclusion set forth above and in providing the Office of the Federal Public Defender with relevant information about the affected persons, including the Court's Statement of Reasons, Presentence Investigations Reports, and any defense or prosecutions objections thereto.

IT IS SO ORDERED.

Dated this 7th day of December, 2023.


Susan O. Hickey, Chief District Judge
United States District Court