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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EAST DIV. COLUMBUS

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO**

GENERAL ORDER NO. 14 - 2

**IN RE:
APPOINTMENT OF SOUTHERN DISTRICT OF OHIO FEDERAL
PUBLIC DEFENDER TO REPRESENT ALL FEDERAL INMATES
ORIGINALLY SENTENCED IN THIS DISTRICT WHO MAY BE
ELIGIBLE FOR REDUCTION IN THEIR SENTENCES PURSUANT TO
UNITED STATES SENTENCING GUIDELINES §§ 1B1.10, 2D1.1 AND 2D1.11**

On April 30, 2014, the United States Sentencing Commission proposed amending the United States Sentencing Guidelines in drug cases. The Commission voted to reduce by two levels the guidelines in § 2D1.1 and 2D1.11. Subsequently, on July 18, 2014, the Sentencing Commission amended § 1B1.10 to make the amendments retroactive. This retroactivity produces the opportunity for federal inmates to file petitions under 18 U.S.C. § 3582(c)(2) seeking sentence reductions. The proposed changes are not effective until November 1, 2014. Further, prior to the date, Congress may vote to rescind such changes. Further, if the revisions become effective, the same requires that reduced sentences only be effective on or after November 1, 2015. This Order is intended to provide a smooth implementation of the amendments, once, and if, effective.

The Court has reviewed a preliminary listing of inmates who are potentially eligible for reduction of their sentences and concludes that further screening of these inmates for eligibility, as well as initial determinations as to whether and to what extent an inmate's sentence should be reduced, is appropriate.

By separate Order, the Court will establish Standard Procedures for Addressing Retroactive Application of the Sentencing Guidelines implementing the Fair Sentencing Act of 2010.

The Court in this Order appoints the Federal Public Defender to represent the interests of all federal inmates previously sentenced in this District who may be eligible for sentence reductions pursuant to the proposed amended retroactive sentencing guidelines. The Federal Public Defender is authorized to consult with the United States Probation Office and the United States Attorney's Office with regard to all matters relating to inmates' eligibility for sentence reduction and, if eligible, the extent by which the sentence might be reduced without objections.

In the event of disputes regarding either eligibility or the extent by which a particular sentence should be reduced, the Federal Public Defender may elect to continue to represent the inmate's interest or advise the assigned judge that appointment of other counsel is warranted. The assigned judge shall determine in his or her discretion whether Criminal Justice Act counsel should be appointed to represent an inmate.

IT IS SO ORDERED.

DATE: August 15, 2014



SUSAN J. DLOTT, CHIEF JUDGE
UNITED STATES DISTRICT COURT