

FILED

Jan 09, 2019

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

IN RE:) **GENERAL ORDER NO. 595**
)
RETROACTIVE AND OTHER)
APPLICATION OF THE FIRST)
STEP ACT)
_____)

Pursuant to the provisions of the Criminal Justice Act, Title 18 U.S.C. § 3006A(a)(1) and (c), and because of the need to process motions or petitions efficiently under the *First Step Act*, Senate Bill 756 (115TH), signed into law December 21, 2018, it is hereby ordered that the Federal Defender for the Eastern District of California is appointed to represent any defendant who was previously determined to have been entitled to appointment of counsel, or who is now indigent, to determine whether that defendant may qualify for federal relief under either *First Step Act* Sections 404 (Fair Sentencing Act of 2010), 603 (Federal Prisoner Reentry Initiative Reauthorization [Compassionate Release]), or otherwise, and to present any petitions, motions, or applications relating thereto to the Court for disposition.

If the Federal Defender's Office or previously appointed counsel believes there is a conflict preventing the Federal Defender's Office from assuming appointment for an individual defendant, counsel will bring such conflict to the Court's attention to adjudicate the issue.

The United States Probation Office for the Eastern District of California and the United States District Court Clerk's Office for the Eastern District of California are authorized to disclose *Presentence Investigation Reports*, *Statements of Reasons*, and *Judgments* to the Federal Defender's Office to determine relief eligibility under the *First Step Act*.

Further, the Court will notify the Federal Defender in a timely fashion of all pending *pro se* motions and petitions seeking *First Step Act* relief, so the Federal Defender can assume timely

representation, and will notify the Federal Defender when any new motion or petition for a writ of habeas corpus is filed involving a *First Step Act* claim.

Dated: January 9, 2019

For the Court:



Lawrence J. O'Neill, Chief Judge
United States District Court