

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

2/11/2019
By Roberta D. Tabora, Clerk
Joanne Pesh
Deputy Clerk

**STANDING ORDER RE: FIRST STEP ACT OF 2018 (December 21, 2018)
APPLICATION OF FAIR SENTENCING ACT OF 2010**

1. When the United States Probation Office has filed an addendum to a PSR for a defendant recommending eligibility for a sentence reduction pursuant to the First Step Act, together with a copy of this Standing Order, the defendant will have 21 days to respond, and the government will then have 14 days to respond to both submissions, subject to paragraphs 5 and 6 below.
2. In the situation where a defendant files a motion and the Probation Office has not already filed an addendum to that defendant's PSR, the Probation Office will file an addendum to the PSR and a copy of this standing Order within 14 days of the filing of the motion; thereafter, the defendant will have 21 days after the filing of the addendum to respond, and the government will then have 14 days to respond to both submissions, subject to paragraphs 5 and 6 below.
3. Prior to filing an addendum to the PSR, the Probation Office shall notify the Office of the Federal Public Defender, which shall confirm that the defendant has counsel who will be representing the defendant, or advise the Clerk's Office that CJA counsel should be appointed. In situations where CJA counsel previously represented the defendant and will continue to do so, such counsel must file a motion for reappointment.
4. The United States Probation Office for the District of Connecticut and the United States District Court Clerk's Office for the District of Connecticut are authorized to disclose Presentence Investigation Reports, Judgments in a Criminal Case, and Statements of Reasons to the Office of the Federal Public Defender for the purpose of determining eligibility for relief, and for determining whether a conflict of interest precludes the Federal Public Defender from representing a client. The U.S. Probation Office and the Clerk of the Court are authorized to provide the same documents to the United States Attorney's Office or to any counsel retained by or appointed for a client. In accordance with Federal Bureau of Prisons policy, no Presentence Investigation Reports or Statements of Reasons will be provided to inmates.
5. If the Probation Office files an addendum to the PSR recommending eligibility for a sentence reduction and immediate release, the parties will have 7 days after the filing of the addendum to respond.
6. Where a defendant will be represented by CJA counsel, the 21-day period referred to in paragraphs 1 and 2 will commence running (a) in a case where CJA counsel previously represented the defendant and will continue to do so, when the motion for reappointment is granted, and (b) in a case where new CJA counsel must be appointed, when new CJA counsel has been appointed and has filed an appearance.

7. If no objections are filed by the parties by the deadlines outlined above, the Court may issue an order to reduce the sentence. Additionally, should the Court direct that a hearing be held, defendants shall have the option of participating by video conference.

It is so ordered.

Dated this 11th day of February 2019, at Bridgeport, Connecticut.

/s/ Stefan R. Underhill

Stefan R. Underhill
Chief U.S. District Judge