

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

**STANDING ORDER RE: PETITIONS FOR RETROACTIVE APPLICATION OF  
SENTENCING GUIDELINES AMENDMENT 821**

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 Connecticut is hereby appointed to represent any defendant previously determined to have been entitled to appointment of counsel, or who was previously represented by retained counsel and is presently indigent, to determine whether that defendant may qualify to seek reduction of sentence under 18 U.S.C. § 3582(c)(2) in accordance with the 2023 criminal history amendment, Amendment 821. See USSG Section 1B1.10(d) & (e).
2. The United States Probation Office and the Clerk's Office are authorized to disclose Presentence Investigation Reports (PSRs) 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 United States Probation Office is similarly authorized to disclose the aforementioned documents to the U.S. Attorney's Office and, in the event the Federal Defender's Office has a conflict of interest, to assigned defense counsel. In accordance with Federal Bureau of Prisons policy, no Presentence Investigation Reports or Statements of Reasons will be provided to inmates.
3. The United States Probation Office shall independently review cases included on the Sentencing Commission's potential eligibility lists to identify defendants who may be eligible for relief and shall bring eligible cases to the Court's and parties' attention by filing an addendum to the defendant's PSR. When the United States Probation Office has filed an addendum to a PSR for a defendant recommending eligibility for a sentence reduction, 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 4 through 7 below.
4. 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.
5. Prior to filing an addendum to the PSR, the Probation Office shall notify the Office of the Federal Public Defender, which shall either 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.

6. Where a defendant will be represented by CJA counsel, the 21-day period referred to in paragraphs 3 and 4 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. Notwithstanding the timing requirements set forth above, if the Probation Office files an addendum to the PSR on or after February 1, 2024 recommending eligibility for a sentence reduction and immediate release, the parties will have 7 days after the filing of the addendum to respond. In this situation, CJA counsel appointed or reappointed after such an addendum is filed must respond no later than 7 days after appointment or reappointment.
8. If no objections are filed by the parties by the deadlines outlined above, the Court may issue an order to reduce the sentence pursuant to 18 U.S.C. § 3582(c)(2) with an effective date on or after February 1, 2024. In any event, the Court may rule on retroactive sentence reduction motions at any time, but the Court shall not order a reduced term of imprisonment based on Part A or Part B of Subpart 1 of Amendment 821 unless the effective date of the Court's order is February 1, 2024 or later.

It is so ordered.

Dated this 30th day of November 2023, at Hartford, Connecticut.

/s/ Michael P. Shea

Michael P. Shea  
Chief U.S. District Judge