

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS

IN RE:)
)
PETITIONS TO REDUCE SENTENCES) No. 23-GO-00005
BASED ON RETROACTIVE APPLICA-)
TION OF AMENDMENT 821.)

GENERAL ORDER

The United States Sentencing Commission (“USSC”) created new Sentencing Guideline § 4C1.1 and amended Guideline § 4A1.1 (“Amendment 821”). The USSC also voted to give Amendment 821 retroactive effect. Beginning November 1, 2023, courts are authorized to conduct sentence reduction proceedings and enter orders pursuant to 18 U.S.C. § 3582(c)(2), based upon the retroactive application of Amendment 821, provided that any order reducing the term of imprisonment has an effective date of February 1, 2024 or later. To ensure the efficient adjudication of motions seeking reduced sentences based on the retroactive application of Amendment 821, the Court orders the following:

1. The USSC provided the Chief Judge a list of individuals potentially eligible for a sentence reduction under Amendment 821. This list was forwarded to the U.S. Attorney’s Office for the Central District of Illinois (“USA”), Federal Public Defender’s Office for the Central District of Illinois (“FPD”), and U.S. Probation Office for the Central District of Illinois (“USPO”). Representatives from the USA, FPD, and USPO shall review the list and also cases arising in this District and determine who may be eligible for sentence reconsideration. The FPD, or CJA counsel where appropriate, is appointed to represent those defendants and anyone who files a motion to reduce sentence by whatever nomenclature employed if they financially qualify for appointment. If a defendant writes the FPD requesting assistance in seeking a reduced sentence, the FPD shall forward the request to the Clerk of Court for the United States District Court for the Central District of Illinois (“Clerk”) to file as a motion to reduce sentence.

2. The USPO and the Clerk are authorized to disclose copies of judgments, presentence investigation reports, statements of reasons, and Federal Bureau of Prisons’ records to defense counsel and the USA to determine eligibility for relief. All other restrictions that normally apply to dissemination of these types of records remain in effect.

3. In cases where an agreed recommended sentence is reached, the USA and defense counsel shall file a document with the Court indicating their agreement. In cases in which there is no agreement, defense counsel shall file whatever document he or she deems appropriate within 90 days of appointment. The Court will then take appropriate action.

4. The Clerk is directed to send a copy of this Order to the FPD and USA offices and to post it on the District’s website.

IT IS SO ORDERED.

2nd day of November, 2023

A handwritten signature in black ink, appearing to read "Sara Darrow". The signature is written in a cursive style with a large initial "S" and "D".

CHIEF JUDGE SARA DARROW