

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

<b>In Re: Petitions for Retroactive</b>	)	
<b>Sentences Previously Imposed for</b>	)	
<b>Certain Crack Cocaine Offenses</b>	)	<b>No. 12-MC-1063</b>
<b>Under the Fair Sentencing Act</b>	)	

**ADMINISTRATIVE ORDER**

On June 21, 2012 the United States Supreme Court ruled that the Fair Sentencing Act applies to persons convicted before the Act was passed but sentenced afterwards.

The effective date is to apply to all sentenced after August 3, 2010.

To ensure the efficient adjudication of requests seeking a reconsideration of a sentence pursuant to the Supreme Court decision, this Court, *en banc*, orders the following:

1. The United States Probation Office shall contact those inmates who it determines may be eligible for a sentence reconsideration pursuant to the Supreme Court decision, informing them of their potential eligibility and providing them with a copy of this Administrative Order.

2. The Federal Public Defender's Office for the Central District of Illinois (FPD) shall be appointed to represent each defendant (petitioner) who files a petition or motion seeking relief pursuant to the Supreme Court decision, by whatever nomenclature the litigant places in the document. The FPD shall thereupon decide specifically which attorney within the FPD office shall be individually assigned to each case. Should the FPD determine that there is a conflict for a particular petitioner, it shall file a motion to withdraw with the Court. Upon granting of such motion, the Court shall appoint a panel attorney to represent the petitioner.

3. Representatives from the United States Attorney's Office, the United States Probation Office, and the Federal Defender's Office shall confer to identify those petitioners who may be eligible for sentence reconsideration. In those cases where an agreement is reached as to a specific sentence, the parties shall file a pleading with the Court indicating the agreement of the parties. In cases in which there is no agreement, defense counsel shall file, within 90 days of appointment as counsel, whatever pleading defense counsel deems appropriate. The court will then take appropriate action, depending on the nature of the pleading and the remedy sought. All cases subject to this Order shall be assigned to the initial sentencing judge, and if not available, by reassignment through the Chief Judge.

4. The clerk's office is directed to implement this order by entering the FPD as attorney of record in each case relevant to the issues discussed in this Order, sending a copy of this Order to the petitioner who seeks to have his sentence reduced pursuant to the Supreme Court ruling, and to send copies of this Order to the FPD, U.S. Attorney, and posting it on the District Court's website.

**IT IS SO ORDERED.**

Signed this 5<sup>th</sup> day of July, 2012.

s/ James E. Shadid  
**JAMES E. SHADID, Chief Judge**  
United States District Court  
Central District of Illinois