

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

IN RE:)
)
) MOTIONS FOR COMPASSIONATE
) RELEASE UNDER SECTION 603(b)
) OF THE FIRST STEP ACT OR
BUSINESS OF THE COURT) U.S.S.G. AMENDMENT 814

Administrative Order

The Court appoints the Federal Public Defender for the Eastern District of Missouri to represent any defendant who is indigent, or who was previously determined to be entitled to the appointment of counsel, to determine whether the defendant is eligible to petition the Court for compassionate release in accordance with Section 603(b) of the First Step Act of 2018 and/or U.S.S.G. Amendment 814, and to file any motions for compassionate release. *See* 18 U.S.C. § 3006A(a)(1) and (c).

No later than thirty days after a pro se motion for compassionate release is filed, the Federal Public Defender must file an initial statement advising the Court that: (1) the Federal Public Defender intends to file a petition or motion on the defendant’s behalf; or (2) the Federal Public Defender does not intend to file anything on the defendant’s behalf.

If the Federal Public Defender advises it does not intend to file anything on the defendant’s behalf, the United States need not file a response unless the Court so orders. If the Federal Public Defender states it intends to file a petition or motion on the defendant’s behalf, it must file such petition or motion within thirty days of the date of its initial statement. The United States’ response must be filed within thirty days of the date of the petition or motion, and the Federal Public Defender may file a reply within fourteen days of the date of the response.¹

¹ The same time for the filing of responses to motions (30 days) and replies (14 days) will apply to motions for compassionate release filed in cases where defendant is not represented by the Federal Public Defender.

To facilitate the Federal Public Defender's evaluation of the defendant's eligibility for compassionate release and preparation of a petition or motion, the Court authorizes the Eastern District of Missouri's United States Probation Office and Clerk's Office to disclose, at the Federal Public Defender's or United States Attorney's Office request, any Presentence Investigation Reports, Statements of Reasons, and Judgments. If Defendant is represented by counsel other than the Federal Public Defender, any Presentence Investigation Reports, Statements of Reasons, and Judgments shall be disclosed to counsel of record for defendant.

To the extent necessary, the Federal Public Defender will help the defendant execute the documents needed to authorize the Bureau of Prisons to disclose institutional records. Upon a request from the Federal Public Defender, the United States Attorney's Office must facilitate the process for the Federal Public Defender or counsel of record to obtain documents relevant to the defendant's request, including the defendant's medical records, education transcripts, disciplinary data, inmate history data, public information data, and requests for reduction in sentence and Bureau of Prison responses.

To the extent necessary, the presiding judge may direct the United States Probation Office to prepare a Home Plan Investigation Report within twenty-one days.

Nothing in this order prevents the presiding judge from shortening or otherwise amending the time limitations set forth herein if doing so furthers the interests of justice.

So ordered this 15th day of November 2023.


STEPHEN R. CLARK
CHIEF UNITED STATES DISTRICT JUDGE