

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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IN RE: 2018 First Step Act Litigation

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**ORDER RELEASING  
COURT DOCUMENTS**

**WHEREAS**, on December 21, 2018, President Trump signed into law the First Step Act of 2018, which, in part, makes retroactive provisions of the Fair Sentencing Act of 2010; and

**WHEREAS**, a number of defendants previously sentenced in the Western District of New York have been identified as potentially eligible for application of this retroactive legislation; and

**WHEREAS**, potentially eligible defendants are either currently incarcerated with no significant source of income, or serving a term of supervised release with no significant source of income; and

**WHEREAS**, the Federal Defender's Office will undertake to represent these individuals, some of whom are not their former clients; and

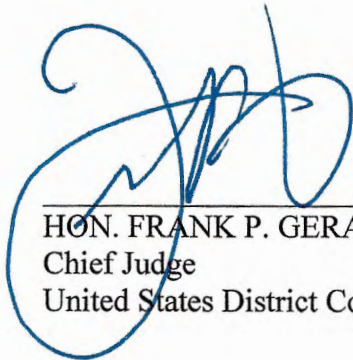
**WHEREAS**, to determine whether any particular defendant is actually eligible for relief, the Federal Defender's Office and the United States Attorney's Office will need access to each individual's Presentence Investigation Report, Judgment of Conviction with Statement of Reasons, and Plea Agreement, it is therefore

**ORDERED**, that the United States Probation Office for the Western District of New York provide to the Federal Defender's Office and the United States Attorney's Office a copy of the Presentence Investigation Report, Judgment of Conviction with Statement of Reasons, and Plea Agreement (if it is not available electronically) for any individual identified as potentially eligible for such reduction; and it is further

**ORDERED**, that the Federal Public Defender's Office be permitted to accept assignment of said individuals without filing a Financial Affidavit for the purposes of determining eligibility and filing of any motion for a reduction.

IT IS SO ORDERED.

Dated: January 15, 2019  
Rochester, New York



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HON. FRANK P. GERACI, JR.  
Chief Judge  
United States District Court