

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**IN RE: MOTIONS FOR  
RETROACTIVE APPLICATION OF  
SECTION 404 OF  
THE FIRST STEP ACT OF 2018**

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**U.S. DISTRICT COURT  
NDNY  
FILED  
JANUARY 9, 2019  
JOHN M. DOMURAD,  
CLERK**

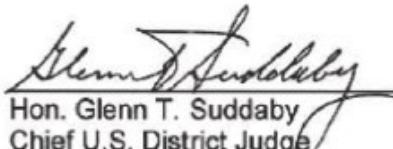
**GENERAL ORDER #19**

AND NOW, this 9th day of January 2019, pursuant to the provisions of the Criminal Justice Act, 18 U.S.C. § 3006A(a)(1) and (c), and because of the need to efficiently process motions brought pursuant to the First Step Act of 2018, S. 756 (December 21, 2018),

**IT IS HEREBY ORDERED** that the Federal Public Defender for the Northern District of New York is appointed to represent any defendant who was previously determined to have been entitled to appointment of counsel, or who is now indigent, to determine whether that defendant may qualify for relief pursuant to Title IV, Section 404 of the First Step Act of 2018, which provides retroactive relief to certain defendants whose statutory penalties were modified by section 2 or 3 of the Fair Sentencing Act of 2010 (Public Law 111-220; 124 Stat. 2372).

In addition, the Court shall establish a procedure to promptly notify the Federal Public Defender of possible pending *pro se* motions seeking relief under Section 404, so the Federal Public Defender can assume representation in a timely fashion. If the Federal Public Defender is aware of any such pending petitions, it is to so advise the Court. The Court hereby directs the Clerk to establish a procedure to notify the Federal Public Defender, Lisa A. Peebles, by email when a motion is filed pursuant to Section 404 so that the Federal Public Defender can review the motion, determine whether it involves a Section 404 claim, and notify the assigned Judge, thereby seeking appointment pursuant to this order.

FOR THE COURT:

  
Hon. Glenn T. Suddaby  
Chief U.S. District Judge