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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON

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8 IN RE: MOTIONS FOR SENTENCE  
9 REDUCTION PURSUANT TO  
10 SECTION 404 OF THE 2018 FIRST  
11 STEP ACT

GENERAL ORDER 01-19

12 To promote the efficient processing of motions for reduction of sentences as a  
13 result of the retroactive provisions of the 2018 First Step Act, the United States District  
14 Court for the Western District of Washington adopts the following order:

15 Pursuant to the provisions of the Criminal Justice Act, 18 U.S.C. Secs.  
16 3006A(a)(2)(H) and (I) the administrators for the Criminal Justice Act in the Western  
17 District of Washington ("CJA") are authorized to appoint counsel for any defendant  
18 previously determined to have been entitled to appointment of counsel or found  
19 indigent by the Court whose names appear on lists of defendants who potentially  
20 qualify for relief pursuant to section 404 of the First Step Act maintained by the Federal  
21 Public Defender, lists supplied by the United States Probation Office and the United  
22 States Sentencing Commission Administrative Office of the United States Courts or  
23 who have filed a *pro se* motion for sentence reduction pursuant to the section 404 of  
24 the First Step Act.

25 The Probation Office is authorized to disclose the defendants' Presentence  
26 Investigation Reports or Modified Presentence Investigation Reports, Judgments, and

1 Statements of Reasons to the Federal Public Defender's Office, CJA panel or retained  
2 counsel, and the U.S. Attorney's Office. CJA will presumptively appoint the Federal  
3 Public Defender's Office unless there is a prohibitive conflict in which the prospective  
4 client's interests are materially adverse to those of a current or former client. In such  
5 cases, new counsel from the CJA panel will be appointed. In cases where former CJA  
6 counsel requests reappointment in the case, the CJA Administrator will re-appoint  
7 former CJA counsel to represent the defendant.

8 The United States District Court Clerk's Office is authorized to notify the  
9 Federal Public Defender of any *pro se* motions for relief filed pursuant to Section 404  
10 of the First Step Act. The FPD shall assist the Clerk's Office in determining whether a  
11 particular *pro se* motion for relief is based on Section 404 of the First Step Act.

12 Dated this 14th day of January, 2019.

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16 RICARDO S. MARTINEZ  
17 CHIEF UNITED STATES DISTRICT JUDGE  
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