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4 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
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6 In Re: )  
7 RETROACTIVE APPLICATION OF ) GENERAL ORDER 09-23  
8 U.S.S.G. AMENDMENT 821 )  
9 )  
10 )

11 To promote the efficient processing of motions pursuant to 18 U.S.C. § 3582(c)(2) for a  
12 sentence reduction under the retroactive application of U.S.S.G. Amendment 821, the U.S.  
13 District Court for the Western District of Washington adopts the following standing order:  
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15 Pursuant to the provisions of the Criminal Justice Act, 18 U.S.C. §§ 3006A(a)(1) and  
16 (c), and in accordance with the retroactive application of U.S.S.G. Amendment 821, the  
17 administrators for the Criminal Justice Act in the Western District of Washington ("CJA") are  
18 authorized to appoint counsel for any defendant previously determined to have been entitled to  
19 appointment of counsel or found indigent by the Court (i) whose name appears on the lists of  
20 defendants potentially qualifying for a reduction of sentence supplied by the United States  
21 Sentencing Commission, Administrative Office of the United States Courts, United States  
22 Probation Office ("Probation Office"), Federal Public Defender's Office, or Office of the  
23 United States Attorney for the Western District of Washington ("U.S. Attorney's Office") or  
24 (ii) who files a pro se motion for relief seeking a sentence reduction under the retroactive  
25 application of U.S.S.G. Amendment 821, including Part A (Status Points under § 4A1.1) and  
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1 Part B (Zero-Point Offenders). The appointment is limited to those cases affected or potentially  
2 affected by this amendment and will terminate upon the district court's ruling or the conclusion  
3 of the appellate process, unless otherwise ordered by the Court.

4 The Probation Office is authorized to disclose the defendants' Presentence Investigation  
5 Reports or Modified Presentence Investigation Reports, Judgments, and Statements of Reasons  
6 to the Federal Public Defender's Office or retained counsel, and the U.S. Attorney's Office.  
7 CJA will presumptively appoint the Federal Public Defender unless there is a prohibitive  
8 conflict or the case will involve litigation better addressed by the previously appointed counsel.  
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10 The Office of the Clerk of Court for the Western District of Washington ("Clerk's  
11 Office") is authorized to disclose to appointed or retained counsel, and the U.S. Attorney's  
12 Office, documents from the defendants' case file that are not otherwise available through the  
13 judiciary's Public Access to Court Electronic Records ("PACER") service to determine the  
14 defendants' eligibility, the extent for relief, and conflicts. Specifically, the Clerk's Office may  
15 disclose U.S.S.G. §5K1.1 motions and orders, motions and orders related to Fed. R. Crim. P.  
16 35, plea agreements, charging documents, notices of enhancement under 21 U.S.C. § 851,  
17 transcripts available pursuant to Judicial Conference policy, verdicts, orders related to U.S.S.G.  
18 Amendment 782, and motions under 28 U.S.C. § 2255. Appointed or retained counsel may not  
19 further distribute such documents, unless otherwise ordered by the Court.  
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21 Dated this 6th day of October, 2023.

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26 David G. Estudillo  
Chief United States District Judge