

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

IN RE:)
BUSINESS OF THE COURT) PETITIONS FOR RETROACTIVE
) APPLICATION OF NOVEMBER 1,
) 2023 SENTENCING GUIDELINES
) AMENDMENT 821

Administrative Order No. 4¹

The Court appoints the Federal Public Defender for the Eastern District of Missouri to review pro se motions filed under Part A of Amendment 821, determine the defendant's eligibility to seek reduction of sentence, and present any amended motions or applications for reduction of sentence under 18 U.S.C. § 3582(c)(2) in accordance with 2023 Sentencing Guideline Amendment 821. *See* 18 U.S.C. § 3006A(a)(1) and (c). In any event, any defendant has the right to retain counsel at their own expense.

Every two weeks, the Clerk's Office will send the Federal Public Defender a report of all outstanding pro se motions. No later than twenty-eight days from notice of a pro se motion from the defendant or notice via the Clerk's Office report, whichever is later, the Federal Public Defender will either notify the Court that there is a conflict, or enter its appearance and file: (1) a Notice of Intent to Seek Retroactive Application of Amendment 821 U.S.S.G.; or (2) a Notice of Intent Not to File a Supplemental Motion.

If the Federal Public Defender notifies the Court that there is a conflict, the Court will appoint CJA counsel. If the Federal Public Defender or appointed or retained counsel enters an appearance and files a Notice of Intent Not to File a Supplemental Motion, the matter will be ripe for adjudication. If the Federal Public Defender or appointed or retained counsel enters an appearance and files a Notice of

¹This is a supplemental Order relating to appointment of the Federal Public Defender for Amendment 821 Motions to accompany Administrative Orders 1-3 filed on October 11, 2023.

Intent to Seek Retroactive Application of Amendment 821 U.S.S.G., the schedule adopted in the October 11, 2023 “Administrative Order No. 3 – Scheduling Order” will apply. *See Business of the Court*, 4:23-mc-09001-SRC, Doc. 50.

This Order is effective immediately. The Federal Public Defender will promptly review pro se motions filed prior to the date of this Order. Within twenty-eight days of the date of this Order, the Federal Public Defender will either notify the Court that there is a conflict, or enter its appearance and file one of the notices identified above. The matter will then proceed as specified in this Order.

All motions and pleadings will be filed in the original criminal proceeding. If the sentencing Judge in the original proceeding is no longer a member of the Bench of this District, the Court will reassign the case.

So ordered this 23rd day of January 2024.


STEPHEN R. CLARK
CHIEF UNITED STATES DISTRICT JUDGE