

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Motions for Sentencing Reduction Under Section 404
 of the First Step Act**

ADMINISTRATIVE ORDER

1) Section 404 of the First Step Act, enacted December 21, 2018, applies to “a violation of a Federal criminal statute, the statutory penalties for which were modified by section 2 or 3 of the Fair Sentencing Act of 2010 (Public Law 111–220; 124 Stat. 2372), that was committed before August 3, 2010,” and provides that the court may “impose a reduced sentence as if sections 2 and 3 of the Fair Sentencing Act of 2010 . . . were in effect at the time the covered offense was committed.”

2) Many motions have been filed to date seeking relief under Section 404, and it is anticipated that that scores and possibly hundreds additional such motions will be filed in this district.

3) A committee consisting of representatives of the United States Attorney’s Office, the Federal Defenders Association, and the Probation Office (“the committee”) will expeditiously review the files of all defendants who may be eligible for relief under Section 404, in order to assess eligibility. This review requires a detailed assessment of conviction records and prison records in each case. If the parties determine that a defendant is eligible for a sentence reduction,

and agree that a reduction is appropriate, the parties will submit a proposed order to this effect.

4) In order to allow the committee sufficient time to conduct the review process and identify and prioritize the eligible defendants, and to avoid unnecessary litigation and waste judicial resources, all motions seeking relief under Section 404 will be stayed pending completion of the review process and identification of the eligible defendants. The government shall then address the outstanding motions of defendants in an orderly fashion.

Accordingly, on this 4th day of February, 2019, it is hereby **ORDERED** that all motions for sentence reductions under Section 404 of the First Step Act in the United States District Court for the Eastern District of Pennsylvania are hereby **STAYED** for a period of ninety (90) days from the date of this Order, to permit the committee to complete the review process and notify the judges of this Court of the eligibility status of all affected defendants.

BY THE COURT:



HON. JUAN R. SANCHEZ
Chief United States District Court
Judge