

FILED
UNITED STATES DISTRICT COURT

2011 JUL 20 PM 2: 28

WESTERN DISTRICT OF TEXAS

SAN ANTONIO DIVISION

BY: MFD
DEPUTY CLERK

**In re: Potential Sentence Reductions for Cocaine Base Defendants
Under 18 U.S.C. § 3582(c)**

STANDING APPOINTMENT ORDER

Before the Court is the Sentencing Commission's retroactive reduction of the guideline range for many crack cocaine offenses. *See* U.S.S.G. App. C, amend. No. 750 (Nov. 1, 2010); U.S.S.G. §1B1.10, p.s. (eff. Nov. 1, 2011). In the interest of applying the retroactive amendment fairly, expeditiously, and without undue expenditure of judicial resources, the Court has decided to appoint the Federal Public Defender's Office to represent defendants who may be eligible for a sentence reduction. Such appointment does not extend to cases of conflict, to defendants not eligible for appointed counsel under 18 U.S.C. § 3006A, or to cases where other counsel has already been appointed or retained.

Accordingly, it is hereby ORDERED that the Federal Public Defender is appointed to represent any defendant seeking a reduction of sentence under 18 U.S.C. § 3582(c) based on the reduction authorized by Guideline Amendment No. 750 and Policy Statement §1B1.10. This Order does not extend to a defendant (1) who has retained counsel, or had other counsel appointed, to pursue the reduction, (2) who is not financially eligible for appointment of counsel under 18 U.S.C. § 3006A; or (3) whose case presents a conflict that would prevent the Federal Public Defender from acting on the defendant's behalf.

If a conflict prevents the Federal Public Defender from acting on behalf of a financially eligible defendant, the Defender must file a motion to substitute other counsel.

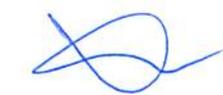
SIGNED this 20th day of July, 2011.



FRED BIERY
Chief U.S. District Judge



ORLANDO L. GARCIA
U.S. District Judge



XAVIER RODRIGUEZ
U.S. District Judge