

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

ADMINISTRATIVE ORDER OF
ABEYANCE RE FIRST STEP ACT

Administrative Order
No. 19-MS-003

On December 21, 2018, the President signed into law the First Step Act of 2018, which addresses a variety of sentencing related issues. The Act requires careful study for proper implementation. That study is ongoing by the Court, the Federal Defender Organization, the United States Department of Justice and other interested parties.

Section 404 of the Act permits motions in certain covered cases for potentially retroactive sentencing reductions in accordance with the Fair Sentencing Act of 2010. The Court has begun to receive motions for sentencing reduction under Section 404, and for related relief, such as appointment of counsel. To ensure that all interested parties, including the Court, have time to study the Act and address the issues in a procedurally and substantively fair manner; and to ensure an orderly process for addressing the most pressing motions first, the District Judges of this Court have authorized the undersigned Chief Judge to enter **this Administrative Order holding all motions seeking any relief related to Section 404 in abeyance**, pending further Administrative Order of the Court. This means no party has an obligation to file a response to any such pending motion, and that no party filing any such motion should expect decision on the motion until further Administrative Order of the Court.

Nothing in this Administrative Order prevents an interested party from filing a motion seeking any relief related to Section 404. Nor does this Administrative Order prevent an interested party from filing a response to any pending motion, if such party wishes to do so despite this Administrative Order of Abeyance. Furthermore, any Judicial Officer of this Court may exercise

his or her own discretion in any individual case assigned to such Officer to opt out of this Administrative Order of Abeyance, and to enter a schedule for addressing and resolving pending motions in such individual case.

This Administrative Order shall be filed on the external website of the Court, and in any individual case in which a motion seeking relief related to Section 404 of the First Step Act is pending.

FOR THE COURT:

A handwritten signature in black ink, appearing to read "Robert Jonker", written in a cursive style.

Dated: January 10, 2019

ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE