

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

UNITED STATES OF AMERICA

PLAINTIFF

V.

NO. 4:93-cr-00196-01 JLH

DION IVAN PATTERSON.

DEFENDANT

ORDER

Recent amendments to the Federal Sentencing Guidelines provide for retroactive consideration of reduction of sentences for certain persons convicted of offenses involving "crack" cocaine.¹ Defendant appears to be eligible for consideration for a reduction. However, reduction is not mandatory and must be considered by the Courts on a case by case basis. Defendant is entitled to be represented by counsel.

The court record is unclear as to whether Defendant was previously represented by retained or appointed counsel. However, it is necessary in the interests of justice that Defendant's case be given early consideration. Therefore, the Court appoints the Federal Public Defender to represent Defendant in all further proceedings in connection with sentencing issues. Provided, Defendant's appointed counsel must obtain a current executed financial affidavit from Defendant and file the same with the Court within thirty (30) days from the entry of this order, to demonstrate that Defendant continues to qualify for appointed counsel.

Of course, Defendant may retain counsel of his choice if he has the financial ability to do so. If that is the case, he must inform the Court and appointed counsel within fifteen (15) days of the date of this order.

The Clerk is directed to mail a copy of this order to Defendant.

IT IS SO ORDERED this 20th day of February, 2008.


UNITED STATES MAGISTRATE JUDGE

¹ See United States Sentencing Commission Sentencing Guidelines, Amendment 706 (reducing the guideline range for crack cocaine offenses, effective November 1, 2007) and Amendment 711 (making Amendment 706 retroactive, effective March 3, 2008).