

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
vs.)	NO. CR-04-0202-HE
)	
ANTONIO ARMSTRONG,)	
)	
Defendant.)	

ORDER

Defendant has filed his motion for reduction of sentence pursuant to 18 U.S.C. §3582, based on amendments by the U.S. Sentencing Commission to the guideline range for offenses involving crack cocaine (Amendment #706). Based on its preliminary review, the U.S. Probation Office for the Northern District has concluded that defendant may be eligible for modification of sentence based on the amendment.

Also pending is defendant's motion pursuant to 28 U.S.C. § 2255, to which the court had ordered the government to respond on or before June 16, 2008. The court concludes the government should also be directed, by the indicated date, to respond to defendant's § 3582 motion and state its position with respect to it. The court further concludes that counsel should be appointed for defendant with respect to the motion for sentence reduction.¹

Accordingly, the government is **ORDERED** to respond to defendant's motion for reduction of sentence on or before **June 16, 2008**. Julia O'Connell of the Federal Public Defender's Office is hereby **APPOINTED** as counsel for defendant in connection with his

¹*Defendant was represented by appointed counsel in prior proceedings.*

motion pursuant to 18 U.S.C. § 3582. The court understands defendant to be presently incarcerated at FCI Forrest City Medium, Reg. No. 09673-062, Federal Correctional Institution, P.O. Box 3000, Forest City, Arkansas 72336.

IT IS SO ORDERED.

Dated this 17th day of April, 2008.



JOE HEATON
UNITED STATES DISTRICT JUDGE