

FILED

NOV 15 2022

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICE

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

In Re:)
Compassionate Release Provision of) Administrative Order No. 265
The First Step Act of 2018.) (Sixth Amendment)

ADMINISTRATIVE ORDER

In light of Seventh Circuit precedent, including *United States v. Tidwell*, 178 F.3d 946, 949 (7th Cir. 1999), which held that a proceeding under 18 U.S.C. § 3582(c) is not an ancillary proceeding mandating counsel under 18 U.S.C. § 3006A(c), and *United States v. Blake*, 986 F.3d 756 (7th Cir. 2021), as well as recent administrative guidance from the Seventh Circuit Court of Appeals, the Court **VACATES** Administrative Order No. 265 (Fifth Amended) and all prior versions, which delineate procedures for handling motions for compassionate release and authorize the appointment of counsel. Going forward, each presiding judicial officer will review and resolve motions as they are filed and may recruit *pro bono* counsel to represent any indigent defendant, but shall not appoint counsel paid at public expense, including the Federal Public Defender and Criminal Justice Act panel attorneys.

IT IS SO ORDERED.

DATED: November 15, 2022



NANCY J. ROSENSTENGEL
Chief U.S. District Judge