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US DISTRICT COURT, EDNC BY DEP CLK

## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA

08-SO-1

	)	
	)	
Re: Petitions for Retroactive Application	)	
of November 1, 2007 Amendment to	)	STANDING ORDER
<b>Crack Cocaine Offense Level Guidelines</b>	)	
	)	

Pursuant to the provisions of the Criminal Justice Act, Title 18, USC §§ 3006A(a)(1) and (c), the Office of Federal Public Defender for the Eastern District of North Carolina is hereby appointed to represent any defendant previously determined to have been entitled to appointment of counsel or who is now indigent or files a motion seeking relief, or whose name appears on lists supplied by the United Sentencing Commission or the Administrative Office of the U.S. Courts, to determine whether that defendant may qualify to seek reduction of sentence and to present any motions or applications for reduction of sentence in accordance with the revised base offense levels for crack cocaine, USSG § 2D1.1 and 18 USC § 3582(c)(2). This appointment is limited to cases affected or potentially affected by this retroactive amendment.

The U.S. Probation Office for the Eastern District of North Carolina is authorized to disclose Presentence Investigation Reports and Statements of Reasons to the Federal Public Defender's Office for the purpose of determining eligibility for relief, and for determining whether conflict of interest precludes the Federal Public Defender from representing the client. Should the Federal Public Defender determine that there is a prohibitive conflict in which the prospective client's interests are materially adverse to those of a current or former client with regard to representation of a particular defendant in this litigation, the Court shall be notified and the Court will consider appointing a member of the Criminal Justice Act panel of this District. The Federal Public

Defender's Office shall provide the Presentence Investigation Report and Statement of Reasons to any subsequently appointed or retained counsel. The U.S. Probation Office shall also provide copies of the Presentence Investigation Reports and Statements of Reasons in these cases to the Office of the U.S. Attorney for the Eastern District of North Carolina. In accordance with Federal Bureau of Prisons policy, no Presentence Investigation Reports will be provided to inmates.

IT IS SO ORDERED.

This 2/ day of February 2008.

Louise W. Flanagan

Chief U.S. District Judge