

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

IN THE MATTER OF:)	
)	STANDING ORDER
PROVIDING COUNSEL FOR PERSONS)	
POTENTIALLY ELIGIBLE FOR RELIEF)	
UNDER AMENDMENT 821 TO THE UNITED)	
STATES SENTENCING GUIDELINES)	
)	

Pursuant to the Criminal Justice Act, 18 U.S.C. §§ 3006(a)(1) and (c), and finding that persons presently serving prison terms are financially eligible for appointed counsel under the provisions of that Act, the Office of the Federal Public Defender for the Districts of North Dakota and South Dakota is hereby appointed to represent all defendants in criminal cases in this district who may be eligible to seek a reduced or modified sentence based upon Amendment 821 to the United States Sentencing Guidelines.

The purposes of this appointed representation are as follows:

- 1) To identify all persons with a potential claim for relief under Amendment 821, which was made retroactive on August 24, 2023, including persons who may have filed a pro se pleading for relief.
- 2) To seek any available sentencing relief for such persons through appropriate pleadings, including motions under 18 U.S.C. § 3582(c)(2).
- 3) To prioritize those persons with a claim for relief which must be acted upon immediately.
- 4) To maintain communications with all such persons to learn their wishes and to advise them.
- 5) To identify any conflict of interest which would require the withdrawal of the Federal Public Defender and the appointment of new counsel.

To give effect to the purposes of this order, the United States Probation Office for the District of North Dakota is hereby authorized and directed to cooperate with the Office of the Federal Public Defender in identifying the persons who meet the criteria of inclusion set forth above and in providing the Office of the Federal Public Defender with relevant information about the affected persons, including the Court's Statement of Reasons, Presentence Investigation Reports, and any

defense or prosecution objections thereto.

IT IS SO ORDERED.

Dated this 26th day of October, 2023.

/s/ Peter D. Welte _____
Peter D. Welte, Chief District Judge
United States District Court