

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

IN RE: MOTIONS FOR RETROACTIVE
APPLICATION OF NOVEMBER 1, 2007
AMENDMENT TO CRACK COCAINE
OFFENSE LEVEL GUIDELINES

08mc0004-16

ADMINISTRATIVE ORDER

Pursuant to the provisions of the Criminal Justice Act, 18 U.S.C. §§ 3006A(a)(1) and (c), the Office of the Federal Public Defender for the District of New Mexico is hereby appointed to represent any defendant, previously determined to have been entitled to appointment of counsel, to determine whether or not 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 (Section 2D1.1, U.S.S.G.). Criminal Justice Act panel attorneys who were previously appointed to represent defendants may resume their appointment to investigate and pursue any similar claims for their clients. In the event the Criminal Justice Act panel attorney is no longer available to provide such representation or wishes to decline this representation, the Office of the Federal Public Defender is hereby appointed to represent those clients previously represented by Criminal Justice Act panel attorneys. Should the Office of the Federal Public Defender determine that there is a conflict with regard to the representation of a particular defendant, the Clerk of the Court is authorized to appoint another member of the Criminal Justice Act panel of this Court.

All motions and pleadings seeking a sentence reduction or in opposition to such reduction will be filed in the original criminal proceeding. In the event that the sentencing judge in the original proceeding is no longer a member of the Bench of this District, the case shall be reassigned on a random basis.

SO ORDERED.



CHIEF UNITED STATES DISTRICT JUDGE