

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

§
§
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§
§

v.

No. 3:97-CR-263-M (02)

MARSHA CUNNINGHAM

ORDER

Before the Court is Defendant's motion under 18 U.S.C. § 3582(c)(2) to reduce a sentence based on the recent cocaine base (crack cocaine) amendments to the United States Sentencing Guidelines. It is hereby **ORDERED** that

- (X) The United States Probation Office shall provide the Defendant and the Government a copy of, or access to, the original presentence report, and other documents which were received from other entities (including the BOP) which relate to the calculations of the Defendant's sentence before and after the crack cocaine amendment.
- (X) The Federal Public Defender is hereby appointed to represent the Defendant in this matter. The Federal Public Defender shall file a motion within twenty-one (21) days of the date of this Order, seeking specific relief. The motion shall be served on the Government and the United States Probation Office.
- (X) The Government shall file a response to the motion within twenty-one (21) days of the service of the motion. The response shall be served on the Defendant and the United States Probation Office.
- (X) An evidentiary hearing will be held on **Tuesday, April 15, 2008, at 10:00 a.m.** The Court will have the Defendant made available for the hearing via video-conference; however, all other parties shall appear in person before the Court for the hearing. Further Order will enter detailing Courtroom specifics.

A copy of this Order shall be served by the Clerk on the Government, the United States Probation Office, the Defendant, counsel for the Defendant, and the United States Marshal.

SO ORDERED.

DATED: March 14, 2008



BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS