

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

NORMAN HANDY,

Defendant.

CRIM. NO. JKB-16-363

* * * * *

MEMORANDUM ORDER

The Defendant Norman Handy was sentenced to a period of 142 months’ imprisonment on August 23, 2018, after he pleaded guilty to Conspiracy to Participate in a Racketeering Enterprise. (ECF No. 628.) Defendant has now filed a Motion for Compassionate Release in light of the COVID-19 pandemic. (ECF No. 884.) No hearing is necessary. *See* Local Rules 105.6, 207 (D. Md. 2018). For the reasons set forth below, the Motion will be DENIED.

Pursuant to 18 U.S.C. § 3582(c)(1)(A), a district court may modify a convicted defendant’s sentence when “extraordinary and compelling reasons warrant such a reduction.” However, a defendant may only move for a reduction under § 3582(c)(1)(A) after he or she “has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant’s behalf or [after] the lapse of 30 days from the receipt of such a request by the warden of the defendant’s facility, whichever is earlier.” Handy does not claim that he has made the necessary request to the warden of his facility, nor does he attach any records verifying that he made such a request. As such, this Court may not consider his motion.¹

¹ Handy may renew his motion after satisfying the procedural requirements of § 3582(c)(1)(A). Any renewed motion must be accompanied by medical records demonstrating that Handy has medical conditions which substantially increase his risk of serious illness from COVID-19. If Handy fails to submit such records, or if the records do not

The Court acknowledges the very real danger posed by the COVID-19 pandemic and Handy's legitimate concerns about his living situation. However, this Court is limited by the existing statutory authority in the relief it may consider. Accordingly, Handy's Motion for Compassionate Release (ECF No. 884) is DENIED.

DATED this 28th day of September, 2020.

BY THE COURT:

A handwritten signature in blue ink that reads "James K. Bredar". The signature is written in a cursive style and is positioned above a horizontal line.

James K. Bredar
Chief Judge

demonstrate that his situation is materially different from that of the thousands of other incarcerated individuals concerned about the ongoing pandemic, his motion will be denied.