

Clerk's Office
U. S. District Court
FILED
04/28/2020
Julia C. Dudley, Clerk
By: /s/ Susan Moody
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

UNITED STATES OF AMERICA)	
)	Criminal Action No. 3:12CR00020
v.)	
)	<u>ORDER REDUCING SENTENCE</u>
ROBERT NATHANIEL TINSLEY,)	
)	By: Hon. Glen E. Conrad
Defendant.)	Senior United States District Judge

Defendant Robert Nathaniel Tinsley is currently incarcerated at the Federal Correctional Complex in Butner, North Carolina, where the Bureau of Prisons has implemented a lockdown as a result of the COVID-19 pandemic. The defendant, by counsel, has filed an emergency motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i), as amended by Section 603(b) of the First Step Act of 2018. The government has advised the court that it does not oppose the defendant's motion, in light of the defendant's serious medical concerns and other circumstances specific to his case. Additionally, the United States Probation Office has investigated and approved the defendant's release plan.

Upon review of the record, the court finds that extraordinary and compelling reasons warrant a reduction of the defendant's sentence to time served, that the defendant does not pose a danger to any other person or the community, that the factors set forth in 18 U.S.C. § 3553(a) support a reduction, and that the reduction is consistent with applicable policy statements issued by the Sentencing Commission. Accordingly, it is hereby

ORDERED

as follows:

1. The defendant's emergency motion for compassionate release (ECF No. 96) is **GRANTED**, effective April 29, 2020.
2. The defendant's total term of imprisonment is **REDUCED** to **TIME SERVED** as of that date, and he shall be released immediately, but no later than noon on April 29, 2020.
3. The defendant's conditions of supervised release are **MODIFIED** as follows:
 - a. The defendant shall be placed on home confinement conditions for the first 14 days following his release, during which time he shall self- quarantine and monitor himself for any symptoms of COVID-19.
 - b. The defendant shall also contact his physician or the UVA Health COVID-19 number at 434-982-6843 to determine whether he should be tested for COVID-19. The defendant shall comply with any testing recommendation.
 - c. During this 14-day period of time, the defendant may not leave his home except to receive medical care or comply with any medical recommendation.
4. All other terms and conditions of the defendant's original sentence shall remain the same.

The Clerk is directed to send copies of this order to the defendant, all counsel of record, the United States Probation Office, and the United States Marshals Service, for delivery to the Bureau of Prisons.

DATED: This 28th day of April, 2020.



Senior United States District Judge

PROB 49
(3/89)

United States District Court

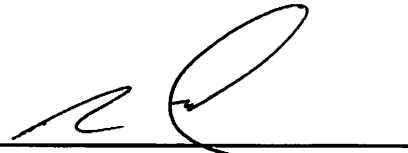
Western District of Virginia

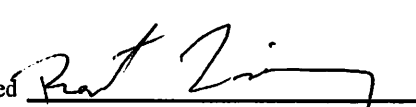
Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall be placed on home confinement conditions for the first 14 days following his release during which time he shall self quarantine and monitor himself for any symptoms of COVID-19. The defendant shall also contact his physician or the UVA Health COVID-19 number at 434-982-6843 to determine whether he should be tested for COVID-19. He shall comply with any testing recommendation. During this 14-day period of time, the defendant may not leave his home except to receive medical care or comply with any medical recommendation.

Witness  (U.S. Probation Officer)

Signed  (Probationer or Supervised Releasee)

CONNECTICUT COUNSELOR
FBOP
04-28-2020
(Date)