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Pro Se
Motion to add
supporting information and
documentation
to 3582c Compassionate Release/
Reduction in Sentence Request

US v. Amber Lewis Bruey

Case #: 2:21-cr-74-TPB-KCD

This request is to allow the included information herein to be included with the Compassionate release/reduction in sentence request filed on January 2, 2024. The information and documentation further explains and justifies the request for compassionate release to this Honorable court. Please find the information included below and approve its inclusion in my compassionate release request. The Compassionate release request asked the Court for an expedited review and approval as well as the ability to file in forma pauperis. I ask the same for this request.

To further clarify my request regarding projecting FSAs + 2nd chance act being able to transfer me to home confinement/FLM/halfway house November 2023 - February 2024, please see the following information:

In November 2023 the BOP published a bulletin titled FSA Admission + Orientation (a+o) Addendum. This was sent to inmates via their Trulinks account and was published on the BOP website. This document explains the calculation and application of FSA credits for inmates, most notably, the "projection", "frontloading", or calculation of ALL potential earnable FSA credits to give the earliest possible pre-release

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placement date. This allows the first 365 credit days to be applied toward early termination of sentence and transfer to Supervised release and then any additional days over the 365 are to be applied toward additional CCC placement (home confinement/FLM/halfway house). The example shown in this BOP A+O addendum is based on a 36 month sentence (30 months with good time credits). This example shows an individual with this sentence would earn 415 days of FSA credits (which are to be calculated upfront). The first 365 days credits comes off the sentence length which leaves an additional 50 credit days to apply toward extra CCC placement. This transitions the inmate from the FPC prison setting, but does not end the sentence as the inmate is still being monitored according to 3621b and BOP program statement 7310.04. (This packet was included with my original compassionate release submission).

Following the above example, and information from the BOP A+O addendum, specifically in my case the calculations would be as followed: On a 48 month sentence, 40.8 good time, the total projected earnable FSA credits would be 540 credit days. My original good time release date was 10/6/26. Applying the first 365 credits to this date moves the release date to 10/6/25. I then have 195 credit days to apply to earlier pre-release placement. In addition to this, utilizing the 2nd chance act would afford 4.8 months home confinement under 3624c(1) (10% of sentence or 6 months; whichever is less as well as an additional up to 12 months under 3624c(2). I've requested consideration for

both the 4.8 months under 3624 c(1) and 9-12 months under 3624 c(2) for a total of 13.8 to 14.8 months CCC placement plus the 195 FSA days toward CCC placement. Unfortunately, FPC Alderson is not consistent in granting this placement which is a law and ends up street releasing most inmates with no 2nd chance act time although I hope this is not the case for me, but is something I'd like the court to take into consideration. Given all these calculations, (which are included) my transfer to CCC placement (home confinement/FLM) would be November 2023 - February 2024. These calculations were verified by unit manager on 1/13/24. (Cop out included). He stated the calculations were correct and best case scenario. If the calculations are correct and best case scenario; I have not been in any trouble and I should be eligible to have this applied for me to transition back into the community where I can get the healthcare I need for my multiple issues that are not being addressed by the BOP, care for my mom and kids who really need me as the only available caregiver and start working to provide for myself, my family and to repay my debt as well as be able to be an asset to my community instead of a burden on the system. I've been advised that halfway house bed space is a concern in NC, but probation officer, Steven Larsen, with Greenville, NC probation said that FLM is available there and if requested they would monitor me. With these calculations being confirmed to be accurate & the ability to apply these credits, as well as February 2024 being a transfer to home confinement/FLM please consider this in your decision and

grant this request with an immediate release from FPC Alderson and transfer to home confinement for any length of time deemed appropriate.

As previously mentioned, BOP / FPC Alderson has not been able to provide adequate healthcare for my multiple health issues. Many of my conditions including asthma, shortness of breath, arthritis, migraines, allergies, degenerative disc disease, cardiomyopathy, depression, anxiety and fibromyalgia are worsening and although I've asked to see a doctor, get new meds, or go back to the meds I was on prior to arriving I am getting no help. I'm forced to live, eat and program with dogs which I am allergic to and which FPC Alderson allows to run around in the area set aside for me to pump and store breastmilk for the baby. In addition, I have been self-carrying my medications, but FPC Alderson has recently switched one of them, Buspar, to pill line. My restrictions from BOP says "no excess cold / wind exposure", yet for pill line we have to line up outside and go in one by one regardless of the temperature or weather. This process can last 20 minutes to an hour (a log is included) and even though health services has 2 waiting rooms they do not allow you to wait inside. One of my asthma triggers is cold weather and they placed this restriction on me, but are not adhering to it which is affecting my health. My mental health is also really suffering. My depression and anxiety is worse than it's ever been and therapy is unavailable. I've been constantly exposed to rampant drug use, fighting, and profanity around me and I was receiving therapy as well as long-term mental health medications prior to surrender, but FPC Alderson

will not give me the medications I need for mental health, asthma, allergies, arthritis, scoliosis, or pain. Being granted compassionate release, even on home confinement, would allow the relief I need to obtain the healthcare and mental health services that I desperately need to stabilize and improve my health.

My 11 month old baby still requires breastmilk and although I'm now able to pump and store the milk for my mom to pick up, its still a big expense that she has and she has to find someone to drive her. It would be easier to supply my baby with the milk she needs if I could be with her and since the calculations could put me on home confinement / FLM between November 2023 and February 2024 I'm asking you to please strongly consider this in granting my request. In addition, I just found out that my 4 year old is having to be put to sleep for a dental surgery in February and due to my mom's limitations it would be much better if I could be with him and to provide him the required follow up care after the procedure and with my daughter facing surgery for the vaginal adhesion, she will need follow up care as well that my mom really can't provide.

At sentencing the court ordered restitution in the amount of \$25 per quarter or 50% of wages if UNICOR job. UNICOR is not available at FPC Alderson. My work in the education department is as a teacher aide for GED, basic literature and ESL. I have worked in this department since July 2023 and make \$0.29 per hour and my pay ranges from \$45-50 per month. FPC Alderson increased my monthly FRP payment to \$223 per month, but this is putting an even heavier financial burden on my family

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because if this payment is not made, FPC Alderson will take away my FSA credits. If granted compassionate release, even on home confinement, I can work and make the money to provide for my family as well as make my restitution payment. Additionally, the cost of incarceration is much less for home confinement and will thus save resources and funds.

Please take all of this additional information into consideration when making your decision. With the ability to be transferred to home confinement/FLM with all the FSA credits (540) and 2nd chance act (3624c(1) + (2)) in November 2023 to February 2024, I would be able to obtain the medical care I need for myself, care for my kids and my mom's needs.

This request is not diminishing the seriousness of the offense. I am non-violent and a low risk Pattern score. I am not a threat to the community.

Please grant my compassionate release request and impose any additional conditions such as home confinement, mental health treatment, etc with an immediate release from FPC Alderson. I have completed an additional class since my original submission (certificate included) and I have started another class as well: Foundations.

I humbly ask this Honorable court to grant my compassionate release / reduction in sentence request.

1/17/24

Respectfully Submitted
Amber Br
Amber Bruce