

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 2:21-CR-00074-TPB-KCD

AMBER REWIS BRUEY,

Defendant.

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**NOTICE THAT THE FEDERAL DEFENDER'S OFFICE HAS SATISFIED THE
REQUIREMENTS IMPOSED BY THE AMENDMENT 821 OMNIBUS ORDER**

The Office of the Federal Defender, by and through undersigned counsel, hereby gives notice that it has satisfied the requirements set forth in this Court's *Omnibus Order In Re: Amendment 821, United States Sentencing Guidelines*, 3:21-mc-1-TJC ("Omnibus Order"), and respectfully notifies this Court that it will not be filing a Motion for Sentence Reduction under Amendment 821 on behalf of Defendant Amber Rewis Bruey.

1. The Omnibus Order authorizes the Office of the Federal Defender to represent defendants who [were] sentenced in the Middle

District of Florida and [are] potentially eligible for a reduced sentence under 18 U.S.C. § 3582(c)(2) and U.S.S.G. § 1B1.10 because of Amendment 821.” Omnibus Order at 1.

2. Pursuant to the procedures set forth in the Omnibus Order, the United States Probation Office prepares an Amendment 821 Memorandum detailing the eligibility of such defendants to receive a sentence reduction under Amendment 821. *Id.* Upon receipt of an Amendment 821 Memorandum, the Federal Defender is required to inform the Court if a conflict prevents the Office from representing the defendant, and in the absence of a conflict, “evaluate the defendant’s eligibility for relief under Amendment.” *Id.* at 2. If the Office “determines that it will not pursue relief on the defendant’s behalf, it shall file a notice advising the court . . . and take any appropriate steps to comply with the applicable rules of professional conduct.” *Id.*

3. Based on undersigned counsel’s thorough and diligent review of the record, including Probation’s Amendment 821 Memorandum and Defendant’s original presentence investigation report, undersigned counsel cannot argue in good faith that Defendant is eligible for a

sentence reduction under 18 U.S.C. § 3582(c)(2) and Amendment 821 of the United States Sentencing Guidelines because Defendant Amber Rewis Bruey does not meet the criteria set forth at USSG § 1B1.10(a)(2)(A). Defendant Amber Rewis Bruey received a sentence that was equal to or less than the minimum of the amended guideline range as adjusted by a comparable substantial assistance departure, if applicable.

4. Pursuant to Local Rule 2.02 (c)(1), the Federal Defender's Office intends to provide 14 days' notice to Defendant. Undersigned counsel has arranged to communicate with Defendant and to advise him of Probation's memorandum, undersigned counsel's professional opinion, this Notice of Satisfaction, and the right to proceed *pro se*. Undersigned counsel intends to file a motion to terminate his representation of Defendant. However, this motion will not be filed until undersigned counsel has satisfied the requirements of Local Rule 2.02 (c)(1).

Accordingly, the Office of the Federal Defender will not be filing a motion for sentence reduction under Amendment 821 on behalf of Defendant Amber Rewis Bruey.

A. Fitzgerald Hall, Esq.
Acting Federal Defender

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