

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS
(Wichita Docket)

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	Case No. 21-10073-EFM
v.	)	
	)	
MICHAEL CAPPS,	)	
	)	
Defendant.	)	

EMERGENCY MOTION FOR RECONSIDERATION OF
ORDER DENYING COMPASSIONATE RELEASE

COMES NOW the Defendant, Michael Capps, pro se, and respectfully moves this Court to reconsider its Order denying his Motion for Compassionate Release. In support, Defendant states:

1. Procedural Timeline

- Defendant filed Motion for Compassionate Release on January 25, 2025
- Government filed Response on February 12, 2025
- Court entered Order denying motion on February 14, 2025
- Local Rules provide 14 days for reply following government response

2. Grounds for Reconsideration

- Order was entered before expiration of reply period
- Defendant's reply deadline is February 26, 2025
- Substantial new evidence and argument ready for submission
- Reply addresses specific issues raised in government's response

3. Prejudice from Premature Ruling

- Prevents consideration of critical new evidence including:
 - * Updated medical documentation
 - * Recent family affidavits
 - * Service animal documentation
 - * Evidence directly addressing government's arguments

4. Relief Requested

Defendant respectfully requests:

- a. Vacatur of the current order
- b. Permission to file reply by February 26, 2025
- c. Reconsideration after full briefing
- d. Expedited consideration given emergency circumstances

WHEREFORE, Defendant requests this Court vacate its Order and allow completion of briefing on this critical matter.



Michael Capps

Register No. 66142-509

Federal Prison Camp

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