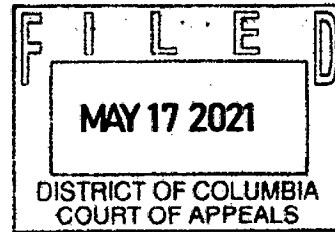


**District of Columbia
Court of Appeals**



Nos. 20-CO-710 & 21-CO-170

RONALD E. WEST,
Appellant,

v.

1988 FEL 5913

UNITED STATES,
Appellee.

BEFORE: Glickman and Deahl, Associate Judges, and Nebeker, Senior Judge.

J U D G M E N T

On consideration of appellant's motion for summary reversal, appellant's supplemental motion for summary reversal, appellee's opposition and cross-motion for summary affirmance, and the record on appeal, it is

ORDERED that appellant's motions for summary reversal are denied. *See Watson v. United States*, 73 A.3d 130, 131 (D.C. 2013). It is

FURTHER ORDERED that appellee's motion for summary affirmance is granted. *See id.* Appellant appeals from the trial court's order denying his motion for compassionate release, pursuant to D.C. Code § 24-403.04 (2020 Repl.), and order denying reconsideration, arguing that the court wrongly determined that he remained a danger to the community. D.C. Code § 24-403.04(a) (2020 Repl.) permits the trial court to modify a sentence for an eligible defendant if it "determines the defendant is not a danger to the safety of any other person or the community, pursuant to the factors to be considered in 18 U.S.C. §§ 3142(g) and 3553(a) and evidence of the defendant's rehabilitation while incarcerated." Appellant challenges the trial court's weighing of the factors, arguing that the trial court placed too much weight on the nature and circumstances of his offenses. He was convicted of multiple offenses based on four robberies of women over a three-month period, including two involving rape and one resulting in a victim's death. While the court acknowledged appellant's lack of a criminal history, generally good behavior while incarcerated, and programming participation, it determined that the nature and circumstances of these offenses including their randomness, as well as his age at the

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION**

UNITED STATES OF AMERICA

v.

RONALD WEST,

Defendant.

Case No. 1988 FEL 005913

Judge STEVEN M WELLNER

ORDER DENYING COMPASSIONATE RELEASE

This case comes before the Court on Defendant's motion for compassionate release, filed July 30, 2020.¹ For the reasons stated below, the Court denies the motion.

I. Factual and Procedural History

The incidents underlying Defendant's conviction occurred between March 30, 1988, and May 19, 1988, when Defendant was 27 years old. The Court of Appeals summarized the material facts in an opinion affirming Defendant's convictions:

The Raley Incident: On March 30, 1988, complainant Raley parked on the bottom level of the parking garage at 3251 Prospect Street, N.W. Appellant had worked as a parking attendant there some years previously. She saw appellant walking along the far wall of the garage and then enter the stairwell. She waited a few minutes and then entered the stairwell. As she approached the third door

¹ Defendant filed his Supplement Motion for Reduce Sentence and Compassionate Release (Def. *Pro Se* Mot. I) on July 30, 2020, and his *Pro Se* Motion to Reduce and Compassionate Release (Def. *Pro Se* Mot. II) on August 27, 2020. Notwithstanding its title, the "Supplement Motion" initiated these compassionate release proceedings. The parties filed the following additional papers in support of, or in opposition to, the original motion: Defendant's Supplement to Compassionate Release Motion (Def. Supp'l Mot.), filed September 16, 2020; the Government's Opposition to Defendant's Motion (Gov't Opp.), filed October 6, 2020; the Government's Supplement to Notify Court of Updated CDC Guidance, filed October 20, 2020; Defendant's *Pro Se* Motion to Appoint Counsel (Def. *Pro Se* Mot. III), filed October 26, 2020; Defendant's Reply to Government's Opposition (Def. Reply), filed October 27, 2020; Defendant's Notice of Amended CDC Report on Obesity, filed October 31, 2020; Defendant's Second Supplemental Motion for Compassionate Release, filed November 9, 2020 (Def. Supp'l Mot. II); and the Government's Opposition to Defendant's Second Supplemental Motion, filed November 19, 2020 (Gov't Opp. II).

leading to the stairwell, appellant stood there holding a gun in her face. He told her to lie face down as he removed cash and her Automatic Teller Machine ("ATM") card from her purse, and obtained her personal identification number for use of the card. He then raped her, took her jewelry, told her to count to a hundred, and departed. She obeyed his instructions, and then fled for help. Appellant was filmed using Raley's ATM card at two banks.

The Wortman Incident: On April 19, 1988, complainant Wortman was approached by appellant wearing a cap and glasses with a gun as she descended the stairwell to the bottom level of the parking garage at 1225 Connecticut Avenue, N.W. Appellant had also worked there as a parking attendant. She was told to lie on the ground. Appellant put a gun to her head and asked for her bank number. She said that she did not have an ATM card. She did have a VISA card which was stolen by appellant. He then fled. Ms. Coalter, a concierge in the building, had seen appellant around noon that day and then again on the elevator heading toward the basement minutes before Wortman was accosted. Appellant was wearing a baseball cap and glasses. Coalter identified appellant from a line-up photograph and at trial. On the same day as the robbery, seven attempts were made to withdraw money using the VISA card, but no photographs were taken.

The Butler Incident: On May 8, 1988, a Sunday, complainant Butler was sitting in her car near the intersection of Connecticut Avenue and N Street, N.W., looking at a map. She was approached by a man who, according to her testimony, "looked very much like" the appellant. Appellant asked her something about her car and then, noticing that Butler was looking at a map, gave her directions. He told her of a short-cut down an alley and offered to show it to her if she would give him a ride down the alley. Butler testified that she thought appellant was a security guard.

Once in the alley, appellant pulled a gun out of his jacket and pointed it at Butler. He told her to drive to the end of the alley which was in fact a dead end. He took fifty dollars and her ATM card from her purse and obtained her personal identification number for the card's use. Appellant then went around to the driver's side of the car and forced Butler to perform oral sodomy. He then ordered her to get out of the car and to lie face down across the hood as he raped her. Appellant then told her to get back in the car and wait for him as he left with her keys. Butler retrieved a spare key from her purse and drove herself to the George Washington Hospital emergency room. Appellant was filmed using Butler's ATM card to withdraw money from two separate bank cash machines.

The Fest Incident: On May 19, 1988, Dawn Fest was living with her fiancé at 3251 Prospect St., N.W. She usually helped her fiancé, who worked for the Washington Post Company, deliver papers in the morning and was expected to do so the morning of May 19. On that morning between six and seven o'clock, Alphonso Soriano, the maintenance man in the parking garage at 3251 Prospect,

saw appellant outside of the garage, holding a "two-way radio." Soriano knew appellant when appellant was employed as an attendant in the garage.

The nude body of Dawn Fest was found the next day in the trunk of her fiancé's Volvo in the 4400 block of Hunt Place, N.E., approximately a block from appellant's girlfriend's house where he was arrested. The cause of death was two close range gunshot wounds to the head. On May 19, appellant was photographed by a surveillance camera at a bank attempting to use Fest's ATM card.

West v. United States, 599 A.2d 788, 789-90 (D.C. 1991).

A jury convicted Defendant of one count of first degree murder while armed, two counts of felony murder while armed, three counts of armed kidnapping, two counts of armed rape, three counts of armed robbery, one count of sodomy, one count of carrying a pistol without a license, one count of possession of an unregistered firearm, two counts of first degree theft, one count of second degree theft, and one count of attempted second degree theft. Judgement and Commitment Order (Sept. 7, 1989). The Court imposed a sentence that included incarceration for 81 years to life. *Id.* Defendant appealed his convictions, and the Court of Appeals affirmed the trial court's convictions as to all but the two felony murder convictions, which it vacated. *West*, 599 A.2d at 794. Defendant's total sentence did not change because the sentences for the felony murder convictions were imposed concurrently to all other sentences. Judgement and Commitment Order (Sept. 7, 1989).

Defendant has filed multiple *pro se* post-conviction motions, all of which have been denied by the Court. He is eligible for parole on October 24, 2051, at the earliest. Gov't Opp., Ex. 1 at 2.

On July 30, 2020, Defendant initiated these proceedings for compassionate release under D.C. Code § 24-403.04. The Court appointed counsel to assist Defendant with the litigation, and

on September 16, 2020, Defendant, through counsel, filed a Supplemental Motion for Release from Detention. The parties' subsequent filings are listed in Footnote 1, *supra*.

II. Legal Framework

As noted above, Defendant seeks relief pursuant to D.C. Code § 24-403.04 ("compassionate release"). The District of Columbia's compassionate release law became effective on April 10, 2020, as part of the COVID-19 Response Supplemental Emergency Amendment Act of 2020, and was extended on August 19, 2020, pursuant to the Coronavirus Support Second Emergency Act of 2020. It provides certain grounds for reducing or otherwise modifying a sentence:

(a) Notwithstanding any other provision of law, the court may modify a term of imprisonment imposed upon a defendant if it determines the defendant is not a danger to the safety of any other person or the community, pursuant to the factors to be considered in 18 U.S.C. §§ 3142(g) and 3553(a) and evidence of the defendant's rehabilitation while incarcerated, and:

(1) The defendant has a terminal illness, which means a disease or condition with an end-of-life trajectory;

(2) The defendant is 60 years of age or older and has served at least 25 years in prison; or

(3) Other extraordinary and compelling reasons warrant such a modification, including:

(A) A debilitating medical condition involving an incurable, progressive illness, or a debilitating injury from which the defendant will not recover;

(B) Elderly age, defined as a defendant who:

(i) Is 60 years of age or older;

(ii) Has served at least 20 years in prison or has served the greater of 10 years or 75% of his or her sentence; and

(iii) Suffers from a chronic or serious medical condition related to the aging process or that causes an acute vulnerability to severe medical complications or death as a result of COVID-19;

(C) Death or incapacitation of the family member caregiver of the defendant's children; or

(D) Incapacitation of a spouse or a domestic partner when the defendant would be the only available caregiver for the spouse or domestic partner.

D.C. Code § 24-403.04(a).

The statute requires an evaluation of dangerousness according to criteria set out in two provisions of federal law, 18 U.S.C. §§ 3142(g) and 3553(a). Under 18 U.S.C. § 3142(g), the Court must consider the following:

- (1) The nature and circumstances of the offense charged, including whether the offense is a crime of violence, a violation of section 1591, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device;
- (2) The weight of the evidence against the person;
- (3) The history and characteristics of the person, including—
 - (A) The person's character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, and record concerning appearance at court proceedings; and
 - (B) Whether, at the time of the current offense or arrest, the person was on probation, on parole, or on other release pending trial, sentencing, appeal, or completion of sentence for an offense under Federal, State, or local law; and
- (4) The nature and seriousness of the danger to any person or the community that would be posed by the person's release...

Under 18 U.S.C § 3553(a)(1)-(7), the Court must analyze “the nature and circumstances of the offense and the history and characteristics of the defendant;” the goals in imposing the

— sentence; the available sentencing options; the sentencing ranges and policy statements generated by the Sentencing Commission; the avoidance of disparity in sentencing; and the need to provide restitution to victims.

The compassionate release statute does not address burdens of proof, but the Court concludes that Defendant, as the moving party, must prove his eligibility for release by a preponderance of the evidence. The preponderance of the evidence standard is generally applied in civil contexts, and it is also used in the court’s determination of future dangerousness in requests for release by persons found not guilty by reason of insanity. *See Robertson v. United States*, 961 A.2d 1092, 1097 (D.C. 2008); *United States v. Ecker*, 13 CR 173, 543 F.2d 178, 187-88 (D.C. Cir. 1976) (requiring the district court to make an “affirmative finding that it is at least more probable than not” that the patient will not be violently dangerous in the future). Federal courts have also applied this standard when considering motions for compassionate release and sentencing reduction. *See, e.g., United States v. Evans*, No. 13-173, 2020 U.S. Dist. LEXIS 193430, at *5 (W.D. Pa. Oct. 20, 2020) (“[Defendant] bears the burden of proof by a preponderance of the evidence.”) (citation omitted); *United States v. Aruda*, No. 14-cr-00577, 2020 U.S. Dist. LEXIS 126034, at *4-5 (Haw. D. Ct. July 17, 2020) (citations omitted) (“The inmate bears the burden of establishing the requirements for a sentence reduction by a preponderance of the evidence.”). This Court finds that, had the legislature intended for another burden of proof to apply to the elements of the compassionate release statute, it would have so stated.

As to the circumstances that might warrant an exercise of “compassion,” the local statute offers two specific examples – (1) a terminal illness, and (2) age over sixty plus at least twenty-five years served – and then a third option covering “Other extraordinary and compelling reasons.” The statute also lists four specific situations deemed “extraordinary and compelling”: a debilitating

Stop

medical condition; “elderly age,” broadly defined; death or incapacitation of defendant’s child’s caregiver; and incapacitation of the caregiver for defendant’s spouse or domestic partner. The statute does not state whether these four situations are intended to be an exhaustive list of “extraordinary and compelling reasons” or merely illustrative. There is no indication that the four examples are intended to be exclusive.

The phrase “other extraordinary and compelling reasons” also appears in the federal compassionate release statute, 18 U.S.C. § 3582(c)(1)(A)(i), but there it appears without a list of examples and has generally been construed as a catch-all. *See United States v. Andrews*, No. 05-280-02, 2020 U.S. Dist. LEXIS 149514, at *9 (E.D. Pa. Aug. 19, 2020) (“Many district courts have now weighed in on this question, and they overwhelmingly conclude that a court can make an independent determination of what constitutes extraordinary and compelling reasons,” at least in the absence of a contrary policy statement by the Bureau of Prisons).

Construing the phrase “other extraordinary and compelling reasons” in the local statute as a catch-all is also consistent with the legislative history. *See Twenty-Seventh Legislative Meeting Before the D.C. Council*, Period 23 at 48:14 (D.C. Apr. 7, 2020), http://video.oct.dc.gov/VOD/DCC/2020_04/04_07_20_COW.html (“Statement of Councilmember Allen”) (discussion of COVID-19 Response Supplemental Emergency Amendment Act of 2020, B23-0733) (the local statute is “modeled after our federal program” for compassionate release). For these reasons, the Court construes the local statute’s list of “extraordinary and compelling reasons” as *illustrative* of the circumstances that might form the basis for relief, rather than as an *exhaustive* catalogue of such grounds. The Government does not take a contrary position in its Opposition and, in fact, apparently concedes the point. *See Gov’t Opp.* at 9 (“[T]he government recognizes that Subsection (a)(3) uses the word ‘including’ to

introduce the factors that constitute 'extraordinary and compelling reasons,' thus suggesting that the list was intended to be non-exhaustive.")

The compassionate release statute does not limit the extent to which a sentence can be modified once a judge has made the requisite findings. In this case, the Court sentenced Defendant under a mandatory minimum provision requiring Defendant to serve at least fifty years. Judgement and Commitment Order (Sept. 7, 1989).

III. Analysis

A court granting compassionate release must find that: (i) the defendant "is not a danger to the safety of any other person or the community," D.C. Code § 24-40.04(a); and (ii) the defendant is terminally ill or is at least sixty years old and has served at least twenty-five years in prison, or that "[o]ther extraordinary and compelling reasons warrant such a [sentence] modification." *Id.* § 24-40.04(a)(1-3).

Notwithstanding his medical challenges² and the serious additional risk he currently faces because of the COVID-19 pandemic,³ Defendant has not shown that he no longer presents a danger to other persons or the community. He is thus not eligible for release under the compassionate release statute.

² Defendant reports that he has vascular dementia (or cerebrovascular disease), hypertension, obesity, and advanced aging. Def. Supp'l Mot. at 3. He also had a heart attack on October 26, 2020, and was hospitalized for two days during the pendency of this compassionate release motion. Def. Supp'l Mot. II at 1. The government, having initially disputed the seriousness of Defendant's medical condition, now concedes that Defendant's age and medical conditions would satisfy the "extraordinary and compelling reasons" criterion for release. Gov't Opp. II at 1-2.

³ The Court recognizes these risks and acknowledges the dangerous spread of the pandemic in the U.S. prison population. See <https://www.themarshallproject.org/2020/05/01/a-state-by-state-look-at-coronavirus-in-prisons>.

In assessing the danger that Defendant poses to any other person or the community, the Court considered the requirements of D.C. Code § 24-403.04(a), the factors listed in the pertinent federal statutes, and information bearing on Defendant's rehabilitation. While not all factors set forth in 18 U.S.C. §§ 3142(g) and 3553(a) point to a finding of continued dangerousness, the information presented, in the aggregate, fails to prove that Defendant no longer poses a danger to the safety of any other person or the community at large.

Defendant had no criminal history before he committed the offenses at issue in this case. Def. Supp'l Mot. at 5-6. Nevertheless, the Government argues that Defendant's offenses, the lengths of the sentences imposed at the time, and Defendant's disciplinary record while incarcerated weigh heavily against his release on grounds of dangerousness. Gov't Opp. at 13-14.

Defendant's crimes are indeed themselves some evidence of continued dangerousness. He caused the death of one person and injury to three others, permanently scarring the surviving victims, family members, and the community. As a part of the current litigation, the government obtained a victim impact statement from one of the victims, Ms. Wortman, who stated that she opposes Defendant's early release and believes he remains dangerous to the community. Gov't Opp. at 14. The government also received input from three family members of Ms. Fest, the victim of the murder committed by Defendant on May 19, 1988; all oppose Defendant's early release. *Id.* At the time of sentencing, the Court received 140 letters from friends and family members of the victim expressing their anguish and describing their hopes for a just sentence. *Id.*, Ex. 6. The sufficiency of the evidence against Defendant is not in doubt; the convictions were affirmed on appeal as to all except two duplicative felony murder charges. Defendant's post-conviction motions have so far been unsuccessful. He has not shown that his lengthy original sentence was unreasonable or unusual.

~~The Court recognizes that Defendant committed the violent and brutal crimes at issue here~~
over thirty-two years ago, when he was twenty-seven years old; he is a middle-aged man of fifty-nine today. Offenders who are older at the time of release are statistically less likely to recidivate compared with offenders who are released when young.⁴ Even so, Defendant was an adult when he committed the offenses in this case. His escalating acts of violence – from robbery to rape to murder, in quick succession – demonstrated a shocking and inexplicable disregard for others' pain, and they cannot easily be ascribed to youthful immaturity or shortsighted impulse.

The crimes underlying Defendant's incarceration are among the most heinous that can be committed against individuals, as reflected in his eighty-one-year-to-life aggregate sentence, as well as his mandatory minimum sentence of fifty years. Judgement and Commitment Order (Sept. 7, 1989). The Court understands that the BOP now categorizes Defendant as presenting a low risk of recidivism. Gov't Opp. at 12. The BOP projection and the rates of recidivism among older adults are certainly points in Defendant's favor, but they are offset by the apparent randomness of the crimes and the increasing brutality of the incidents over the short period in which they occurred. Put another way, to the extent Defendant does not appear dangerous today, the Court must consider the disconcerting fact that the same was true in 1988.⁵

⁴ See, e.g., *United States v. Pitt*, No. 1:97-cr-108-01, 2020 U.S. Dist. LEXIS 144280, at *11-12 (M.D. Penn. Aug. 12, 2020)

⁵ In his original motion, Defendant ascribes his sudden, violent behavior to a dependence on illegal drugs. Def. Supp'l Mot. At 6. The explanation is plausible, but in the absence of further information the Court cannot find that drug dependency alone led to Defendant's brutal crimes.

~~Defendant has exhibited generally good behavior during his incarceration, with only five~~
disciplinary infractions and none involving assaultive conduct or possession of weapons. Def.
Supp'l Mot., Ex. C.⁶

The Court accords considerable weight to Defendant's maintaining personal relationships while incarcerated, and the support various individuals have promised Defendant upon his release. Defendant remains close to his sister, Lisa West, and a family friend he refers to as his "play sister," Thelma Shabaz. Def. Supp'l Mot. at 8. Ms. West promises to provide financial support to Defendant until he can get a job and has suggested that he reside in her home in the District of Columbia. *Id.* Defendant also intends to provide daily care for Ms. Shabaz, who is in poor health and relies on the assistance of others to take care of her needs. *Id.* Though he does not have a job offer as of the date of this order, Defendant plans on contacting the Mayor's Office on Returning Citizen Affairs (MORCA) for help securing employment and accessing social services. *Id.* The Court credits the sincerity of Defendant's assertion that he cares deeply about his family, as well as his family members' offers of assistance. Defendant's efforts to remain connected to his loved

⁶ The record includes information about a 2016 incident that the government argues should be considered relevant to the issue of dangerousness. According to his BOP disciplinary records submitted by the government, Defendant told a correctional officer that she "shouldn't be cold" because she was "so big up there" and pointed to his own chest. Gov't Opp. at 13, Ex. 5 at 2. Though Defendant disputed making a sexual gesture, the incident as described in the Incident Report was adjudicated by the Discipline Hearing Officer and affirmed by the Regional Administrative Remedy Office of the BOP. On November 20, 2020, Defendant filed a Motion to Exclude BOP Documentation Not Previously Shared with Defense. Defendant contends that the government did not provide him timely copies of Government's Exhibit 5, filed with its Opposition of October 6, 2020, or Government's Exhibit 10, filed with its Opposition of November 19, 2020, despite Defendant's request for his complete BOP file. The government has not filed a response to Defendant's Motion to Exclude, though the time to do so has not elapsed. Under the circumstances, in the interest of fairness and efficiency, the Court notes that it reaches its decision in this case without considering the incident at issue. If considered part of the record, the infraction would indeed weigh against a finding of rehabilitation and lack of dangerousness.

ones, and his plan to be financially stable upon release, are some of the strongest evidence that his release would not endanger the community.

D.C. Code § 24-403.04(a) also requires the Court to consider “evidence of the defendant’s rehabilitation while incarcerated” when evaluating his dangerousness. Defendant’s papers describe efforts he has made to improve his wellbeing and post-release prospects: he has completed over 750 hours of educational and other programming, and participated in group therapy sessions that address anger management and conflict resolution. Def. Supp’l Mot. at 6-7, Ex. D. His coursework includes the Challenge Program, which addresses addiction and mental illness and teaches healthy coping mechanisms. Def. Reply at 10. Defendant has also expressed deep remorse for his actions and has confronted the implications of his actions through therapy and worship. *Id.* at 7. He has demonstrated a sincere commitment to his own rehabilitation. The government credits Defendant’s efforts but argues that Defendant’s failure to participate in sex offender treatment demonstrates that these efforts are insufficient to show he no longer poses a danger to the community. Gov’t Opp. at 13. The Court agrees that an ideal slate of programming for Defendant would include sex offender-specific courses or therapy. Such programming is not available at every BOP facility, however, and has not been offered at the facilities where Defendant has been incarcerated. Def. Reply at 10.

Finally, Defendant’s original sentence, and the remaining time on his sentence, weigh against his release. At the time of Defendant’s conviction, the mandatory minimum sentence for his offenses was fifty years of incarceration, and the Court imposed a sentence of eighty-one years to life. Judgement and Commitment Order (Sept. 7, 1989). As of August 4, 2020, Defendant had served thirty-two years and two months of his sentence, or forty percent of his full term; as of the date of this order, at least three more months will have elapsed. Gov’t Opp., Ex. 1. He is not

eligible for parole until October 24, 2051, which is thirty-one years from the date of this order. *Id.*

Nothing in the record convinces the Court that the original sentence was improper, unduly harsh, or disproportionately long compared to sentences imposed on similarly-situated defendants.

Moreover, even assuming Defendant receives all good time he has earned to date (438 days, ^{67003 8760, 3720} according to Defendant's Reply, Exhibit F), he remains ineligible for earlier release for three ^{1800 state} decades. His remaining sentence, and its original appropriateness, weigh against releasing Defendant today.

Health concerns alone cannot establish eligibility for compassionate release; a defendant must first prove he or she is not a danger to the safety of any other person or the community. In this case, Defendant's health is indisputably compromised, but the record does not show that he is too infirm to re-offend. In fact, Defendant has drawn the Court's attention to his food service work assignment (Def. Supp'l Mot. at 7) and his plans to care for Ms. Shabaz if he is released (*Id.* at 8). This suggests he is still capable of accomplishing physically-demanding tasks and is not immobile or incapacitated. If his recent health challenges have resulted in significant long-term limitations on his mobility, strength, or dexterity, those changes are not noted in his recent filings.

* * *

Defendant committed a series of violent crimes in 1988 and received a sentence commensurate with the significance of the offenses. While incarcerated, he has generally comported himself well, made genuine rehabilitative efforts, and maintained important connections to family and friends. He has not proven that he is no longer a danger to other persons or the community, however, and for that reason his request for compassionate release is denied.

IV. Conclusion

For the reasons stated above, the Court denies Defendant's Motion for Compassionate Release.

Accordingly, it is hereby


ORDERED that Defendant Ronald West's Supplemental Motion for Compassionate Release, filed September 16, 2020, and re-filed on October 21, 2020, is **DENIED**; it is further

ORDERED that Defendant Ronald West's *Pro Se* Supplement Motion for Reduce Sentence and Compassionate Release, filed July 30, 2020, *Pro Se* Motion to Reduce and Compassionate Release, filed August 27, 2020, and *Pro Se* Motion to Appoint Counsel (Def. *Pro Se* Mot. III), filed October 26, 2020, are **DENIED**; it is further

ORDERED that Defendant's Motion to Exclude BOP Documentation Not Previously Shared with Defense, filed November 20, 2020, is **DENIED AS MOOT**.

SO ORDERED.

DATED: November 23, 2020


STEVEN M WELLNER
Associate Judge

By CaseFileXpress:

MARGARET CHRISS
JOSEPH DRUMMEY
USAO – Special Proceedings Division

SARA KOPECKI
Defendant's Counsel

**Additional material
from this filing is
available in the
Clerk's Office.**