

24-820 RUTHERFORD V. UNITED STATES

DECISION BELOW: 120 F.4th 360

LOWER COURT CASE NUMBER: 23-1904

QUESTION PRESENTED:

The compassionate-release statute permits courts to reduce a prisoner's sentence if the court finds that "extraordinary and compelling reasons" warrant relief. 18 U.S.C. § 3582(c)(1)(A). Congress placed only two limits on what can count as an "extraordinary and compelling reason": (1) it must be "consistent with" "applicable policy statements" from the U.S. Sentencing Commission, *id.*; and (2) "[r]ehabilitation of the defendant alone shall not be considered an extra- ordinary and compelling reason," 28 U.S.C. § 994(t).

Sections 401 and 403 of the First Step Act of 2018 reduced penalties for certain drug and firearm offenses going forward. Because of these changes, individuals sentenced today for these offenses often face mandatory minimum terms of imprisonment decades shorter than they would have received before the First Step Act.

The question presented is:

Whether, as four circuits permit but six others prohibit, a district court may consider disparities created by the First Step Act's prospective changes in sentencing law when deciding if "extraordinary and compelling reasons" warrant a sentence reduction under 18 U.S.C. § 3582(c)(1)(A)(i).

CONSOLIDATED FOR ONE HOUR ORAL ARGUMENT WITH 24-860

CERT. GRANTED 6/6/2025