

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES :
 :
v. : CASE NO. 3:12-cr-154(RNC)2
 :
ORLANDO NEALY :
 :

ORDER GRANTING MOTION FOR COMPASSIONATE RELEASE

Defendant Orlando Nealy has moved unopposed for
compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A).
For reasons that follow, the motion is granted.

On October 22, 2019, Mr. Nealy was sentenced to twelve
months and one day imprisonment followed by twelve months of
supervised release for a violation of his supervised release.
Mr. Nealy has served nearly eight months of his sentence. He
requests that his sentence of imprisonment be reduced to time-
served and that a four-month period of home confinement be used
as a substitute. The government does not oppose this
substitution.

The Court finds that the risk posed to Mr. Nealy's health
by the novel coronavirus constitutes an extraordinary and
compelling reason justifying compassionate release in accordance
with § 3582(c)(1)(A). Mr. Nealy's medical history presents
significant risk factors for severe illness were he to contract
COVID-19. See United States v. Brown, 4:05-CR-227-1, 2020 WL
2091802, at *9 (S.D. Iowa April 29, 2020)(citing decisions

granting compassionate release because of risk factors linked to COVID-19).

The Court further finds that the sentencing factors in 18 U.S.C. § 3553(a) weigh in favor of compassionate release at this time. Mr. Nealy has completed the majority of his sentence and will be confined to his home as a substitute for further incarceration.

Accordingly, it is hereby ordered:

1. The motion for compassionate release is granted.
2. Mr. Nealy's term of imprisonment is reduced to time-served and he will be released from the custody of the Bureau of Prisons forthwith.
3. Following his release, Mr. Nealy will serve the first four months of his supervised release under home confinement as a substitute for further incarceration. During this four-month period, he will be subject to monitoring by the Probation Office using SmartLink technology or the equivalent. Mr. Nealy will remain in his residence at all times except that he may leave to obtain medical care and treatment, work, participate in religious services, and at such other times as may be approved by the Probation Office.
4. Mr. Nealy will then serve the remaining eight months of his supervised release subject to the same mandatory and standard conditions previously set.

5. Mr. Nealy will self-quarantine for a period of 14 days. During this period, he will make reasonable efforts to be tested for COVID-19. If he tests positive, he will immediately notify the BOP.

6. All other terms of the Order Revoking Supervised Release (ECF No. 384) remain in effect.

So ordered this 1st day of July 2020.

_____/s/ RNC_____
Robert N. Chatigny
United States District Judge