

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARLES TYSON,

Defendant.

No. 3:13-cr-002 (MPS)

**NOTICE REGARDING JUNE 24, 2020 RULING (ECF No. 441) ON MOTION FOR
COMPASSIONATE RELEASE**

On June 24, 2020, I denied Mr. Tyson’s motion under 18 U.S.C. § 3582(c)(1)(A) to reduce his term of imprisonment. My ruling relied in part on the then-applicable guidance published by the U.S. Centers for Disease Control (“CDC”) regarding the types of medical conditions that placed persons at increased risk for severe illness from COVID-19. On June 25, 2020, the CDC updated that guidance. Most relevant to Mr. Tyson’s motion, the CDC’s updated guidance now lists “hypertension or high blood pressure” as a possible risk factor, whereas it previously did not list this condition at all. As noted in my ruling, Mr. Tyson’s medical records indicate that he suffers from hypertension. ECF No. 441 at 5. Although the CDC’s update suggests that the risk to Mr. Tyson from COVID-19 is somewhat higher than what I described in the June 24 ruling, it does not cause me to alter my decision as to the proper outcome. As discussed in the ruling, I already regarded Mr. Tyson—because of his heart condition (hypertrophic cardiomyopathy)—as someone who face an increased risk from COVID-19, but I found that consideration of the Section 3553(a) factors nonetheless defeated Mr. Tyson’s effort to show that there were “extraordinary and compelling reasons” justifying the requested reduction in the term of imprisonment. Even after considering the updated CDC guidance, I

reach the same conclusion, largely for the reasons articulated in my ruling. The increased risk to Mr. Tyson's health and safety still does not, when the Section 3553(a) factors are considered, move the needle far enough to meet the demanding standard of "extraordinary and compelling reasons."

IT IS SO ORDERED.

Dated: Hartford, Connecticut
June 29, 2020

/s/
Michael P. Shea, U.S.D.J.