

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA

v.

Ismael Mangual

Criminal No. 3:17cr260 (JBA)

March 9, 2021

ORDER DENYING DEFENDANT'S MOTION FOR COMPASSIONATE RELEASE

Defendant Ismael Mangual brings this motion for compassionate release pursuant to Section 603 of the First Step Act of 2018, Pub L. 115-391, 132 Stat. 5194 (2018) (amending 18 U.S.C. § 3582(c)(1)(A)(i)), arguing that his asthma qualifies as a condition placing him at high risk of severe illness from COVID-19, thereby constituting extraordinary and compelling reasons warranting his release. (Def.'s Mot. for Emergency Compassionate Release [Doc. # 86] at 1.). The Government opposes [Doc. # 87].

Mr. Mangual was convicted by his guilty plea for violations of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B)(i), and 18 U.S.C. § 924(c)(1)(A)(i) and sentenced on June 21, 2019 to 137 months imprisonment and four years of supervised release. (J. [Doc. # 81] at 1.) Mr. Mangual is currently held at Allenwood USP and is scheduled to be released from Bureau of Prisons ("BOP") custody on March 28, 2029. FIND AN INMATE, FEDERAL BUREAU OF PRISONS, <https://www.bop.gov/inmateloc/> (last accessed Mar. 8, 2021). As of March 8, 2021, two Allenwood USP inmates and three staff members were currently positive, and 128 inmates and 30 staff members had recovered, with one inmate death reported at the facility. COVID-19, FEDERAL BUREAU OF PRISONS, <https://www.bop.gov/coronavirus/> (last accessed Mar. 8, 2021). COVID-19 vaccinations have been offered to Allenwood inmates and Defendant. *Id.*

At a hearing held via videoconference on February 26, 2021, Mr. Mangual clarified that, while he has a history of asthma, he has been able to effectively manage his symptoms while incarcerated at the Allenwood facility. He also informed the Court that he believes he received the first dose of the coronavirus vaccine but was unable to confirm that with documentation. Mr. Mangual's ability to self-manage his asthmatic symptoms and the extra protection afforded to him in the form of the COVID-19 vaccine indicate that Mr. Mangual's risk of severe illness from contracting coronavirus does not present an extraordinary and compelling reason for his release.¹

¹ At the hearing, Mr. Mangual further indicated that his release is needed so that he may care for his son, who he stated is experiencing blood sugar problems while in the care of Children

While the Court respects Mr. Mangual's expression of serious and sincere regret for the actions that led to his incarceration, under the circumstances presented, Mr. Mangual's Motion for Compassionate Release [Doc. # 86] lacks merit and is DENIED.

IT IS SO ORDERED.

_____/s/_____
Janet Bond Arterton, U.S.D.J.

Dated at New Haven, Connecticut this 9th day of March 2021.

and Family Services. Absent documentation of his son's condition and evidence of the seriousness of inadequate medical care, the Court is unable to assess this claim.