



## USA v. Buskovich et al

2020 | Cited 0 times | D. Minnesota | August 4, 2020

### UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA United States of America, Crim. No. 14-314(4) (PAM) Plaintiff, v.  
ORDER Jeremy Joseph Hunt, Defendant.

\_\_\_\_\_ This matter is before the Court on Defendant Jeremy Joseph Hunt's Motion for Compassionate Release under the First Step Act. Hunt asserts that he has underlying health conditions that make him susceptible to complications from COVID-19 and asks the Court to order the BOP to release him to supervised release. For the following reasons, the Court denies the Motion. **BACKGROUND** In September 2015, Hunt pled guilty to his role in a conspiracy to distribute methamphetamine. The Court imposed a sentence of 140 months' imprisonment. (Docket No. 294.) Hunt has served less than half of that sentence, and is scheduled for release in December 2024. He is currently incarcerated at the Federal Correctional Institution - Ray Brook in Ray Brook, New York ("FCI-Ray Brook"). **DISCUSSION**

The First Step Act allows the Court to order a defendant's release for "extraordinary and compelling reasons." Id. § 3582(c)(1)(A)(i). Such reasons include a terminal illness, "a serious physical or medical condition," or other condition "that substantially diminishes the ability of the defendant to provide self-care within the environment of a correctional facility." U.S.S.G. § 1B1.13, cmt. n.1(a)(ii). Hunt alleges that he suffers from asthma, high blood pressure, and skin issues that require him to take a corticosteroid. He also asserts that he has severe depression and anxiety.

Hunt submitted a request for release to the Warden of his facility, which the Warden refused to consider. He submitted another request for compassionate release, and the Warden denied that request. He has therefore sufficiently exhausted available administrative remedies. See 18 U.S.C. § 3582(c)(1)(A).

Although individuals suffering from moderate to severe asthma may be at increased risk of severe complications from COVID-19, see Centers for Disease Control and Prevention, Coronavirus Disease 2019 (COVID-19), People of Any Age with Underlying Medical Conditions, <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html> (last visited July 28, 2020), Hunt has not established that he suffers from moderate to severe asthma. He concedes that he does not use an inhaler regularly to control his asthma, and there is no mention of asthma in any BOP medical record. His other conditions are either not documented in his medical records, are not serious enough to "substantially



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diminish[] [his] ability . . . to provide self-care within the environment of a correctional facility,” U.S.S.G. § 1B1.13, cmt. n.1(A), or are not serious enough to be risk factors for COVID-19 complications.

In addition, there are no active cases of COVID-19 at FCI-Ray Brook. Federal Bureau of Prisons, COVID-19 Inmate Test Information, <https://www.bop.gov/coronavirus/> (last visited July 29, 2020). Hunt has not established any “extraordinary and compelling reasons” for the Court’s reconsideration of his sentence. 18 U.S.C. § 3582(c)(1)(A)(i). CONCLUSION

Accordingly, IT IS HEREBY ORDERED that Defendant’s Motion for Compassionate Release (Docket No. 489) is DENIED.

Dated: August 4, 2020 s/ Paul A. Magnuson Paul A. Magnuson United States District Court Judge

