

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS WISHER,

Defendant.

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Crim. No. 17-45-LPS-1

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**ORDER**

At Wilmington this 9th day of November, 2020, having reviewed Defendant Thomas Wisher’s May 14, 2020 Motion for Release from Custody (D.I. 167) and the Government’s Response (D.I. 170), the Court agrees with the government that Mr. Wisher must file a compassionate release request with the warden at FDC Philadelphia prior to petitioning this Court, notwithstanding his prior incarceration at the Howard R. Young Correctional Institute.

Accordingly, IT IS HEREBY ORDERED that Defendant’s Motion for Release (D.I. 167) is DENIED WITHOUT PREJUDICE to renew after submitting a compassionate release request to the warden of FDC Philadelphia and either exhausting his administrative remedies or allowing a lapse of 30 days after that request, as required by 18 U.S.C. § 3582(c)(1)(A).

  
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HONORABLE LEONARD P. STARK  
UNITED STATES DISTRICT JUDGE