

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**UNITED STATES OF AMERICA**

**vs.**

**CASE NO: 6:15-cr-259-Orl-28EJK**

**ORAN ORVALL DAWSEY**

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**ORDER**

Defendant's second *pro se* motion for compassionate release<sup>1</sup> is before the Court for consideration. (Doc. 84). The Government responded to the motion opposing the requested relief. (Doc. 86). Because Defendant still has not exhausted his administrative remedies, his motion must be denied.

The Court denied Defendant's first motion for compassionate release (Doc. 79) because Defendant had not exhausted his administrative remedies. (Doc. 82). Defendant's current motion does not mention any efforts made to seek relief from the warden as first required under 18 U.S.C. § 3582(c)(1)(A), and the Government confirms no such request has been made. Thus, Defendant has not rectified his failure to exhaust his administrative remedies as prescribed by 18 U.S.C. § 3582(c)(1)(A). As stated in the order denying his first motion for compassionate release, failure to exhaust administrative remedies within the Bureau of Prisons is fatal to a defendant's motion for compassionate release. (Doc. 82). See United States v. Raia, 954 F.3d 594, 597 (3d Cir. 2020).

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<sup>1</sup> Titled "Motion for Sentence Reduction."

Defendant's Motion for Compassionate Release (Doc. 84) is **DENIED**.<sup>2</sup>

**DONE** and **ORDERED** in Orlando, Florida on September 12<sup>th</sup>, 2020.



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JOHN ANTOON II  
United States District Judge

Copies furnished to:  
United States Attorney  
United States Probation Office  
Oran Orvall Dawsey

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<sup>2</sup> The Court notes that per the Government's response, Defendant was to be sent to a halfway house on September 16, 2020. (Doc. 86 at 2).