

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

---

No. 22-3094

---

UNITED STATES OF AMERICA

v.

FELIX ROCHE,

Appellant

---

Appeal from the United States District Court  
For the District of New Jersey  
(D. C. Civil Actions No.: 1-96-cr-00114-012)  
District Judge: Honorable Robert B. Kugler

---

Submitted under Third Circuit LAR 34.1(a)  
on June 6, 2023

(Opinion filed July 17, 2023)

Before: HARDIMAN, AMBRO, and FUENTES, Circuit Judges

**AMBRO**, Circuit Judge:

**ORDER AMENDING OPINION**

The Government's motion to amend the opinion is **granted**.

The Opinion in the above case, filed on July 17, 2023, is amended as follows:

**On page 4, paragraph 3, lines 3-4, delete the following:**

<can treat the change as an “extraordinary and compelling” reason to grant compassionate release.>

and **replace with:**

<have discretion to consider that change in weighing the § 3553(a) factors.>

**On page 5, line 8,** place a comma after <*Andrews*>.

These amendments do not change the date of filing, July 17, 2023.

By the Court,

s/ Thomas L. Ambro  
Circuit Judge

Dated: July 19, 2023

CJG/cc: Sabrina G. Comizzoli, Esq.  
Mark E. Coyne, Esq.  
Felix Roche