

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES W. MAASS,

Defendant.

ORDER

99-CR-0023-C-01

Defendant James W. Maass has moved for pre-detention custody credit. He contends that he is entitled to credit for 131 days that he spent in custody awaiting sentencing in this case.

It appears from defendant's motion that he is no longer in federal custody. (He asks the court to amend the judgment in the case to give him credit against the state sentence that he is serving and he gives his address as a state institution.) Now that defendant is no longer in federal custody, my authority over him is limited. I have no authority to order the state of Wisconsin to give defendant credit against his state sentence. Even if I did, the United States Probation Office has informed me that its records show that the state gave defendant credit for 316 days of pretrial detention, both state and federal, when he entered

state custody to complete his state sentence.

ORDER

IT IS ORDERED that defendant James W. Maass's motion for pre-detention custody sentencing credit is DENIED as moot.

Entered this 3rd day of August, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge