

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALONZO WILSON,

Defendant.

ORDER

01-cr-41-jcs

Defendant Alonzo Wilson has filed a motion pursuant to 18 U.S.C. § 3582, seeking a reduction of the amended sentence imposed upon him on September 26, 2001. During Judge Shabaz's medical leave, I am handling the cases assigned to him, including this one.

Defendant's original total adjusted offense level was 33; he was sentenced to 203 months, which was at the top of the sentencing guideline range of 156 to 203 months. Under the amended guidelines, his base offense level is 30, plus two levels for use of a minor, plus two levels for obstruction of justice, less three levels for acceptance of responsibility. With an offense level of 31 and a criminal history category of IV, defendant has an advisory guideline range of 151 to 188 months. This range is reduced by 32 months to give defendant credit for an undischarged state sentence. The amended range is 119 to 156

months.

Defendant asks for a sentence of 119 months, at the bottom of the amended sentencing range. The government argues for a proportional decrease to the top of the amended range, or 156 months.

I am persuaded that a lengthy sentence is warranted but that it need not be at the top of the amended range. A sentence in the middle of the advisory range is sufficient to carry out the statutory purposes of sentencing, which include reflecting the severity of defendant's crime, protecting the community and achieving parity with the sentences of similarly situated defendants.

Defendant has not asked for a sentence below the guideline range and I am not inclined to give him one under whatever authority I have under Kimbrough v. United States, 128 S. Ct. 558 (2007).

ORDER

IT IS ORDERED that the amended judgment and commitment order signed on September 26, 2001 is AMENDED to provide that the sentence imposed on defendant Alonzo Wilson is reduced to 138 months. In all other respects, the judgment and

commitment order remains as signed on September 26, 2001.

Entered this 16th day of May, 2008.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge