

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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN WOLVIN,

Defendant.

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ORDER

04-CR-094-C

Defendant Steven Wolvin has written to the court to ask for correction of a sentence that resulted from arithmetical, technical or other clear error. As support for this request, petitioner states his belief that the court could have placed him in a community corrections center, halfway house or other form of community confinement now that the Court of Appeals for the First Circuit has ruled that the Bureau of Prisons has the discretionary authority to place prisoners in community facilities as places of imprisonment.

It is dubious whether Fed. R.Crim. P. 35(a) allows a court to amend a sentence in these circumstances. Even if it does, I am not inclined to amend the judgment and commitment order in defendant's case. I made the specific finding that no resources in the community can address defendant's numerous problems and return him to compliance with

his supervised release conditions. It is my judgment that defendant can receive the help he needs only in a federal correctional institution.

Defendant's request for correction of his sentence is DENIED.

Entered this 29th day of September, 2004.

BY THE COURT:

BARBARA B. CRABB  
District Judge