

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

UNITED STATES OF AMERICA,

ORDER

Plaintiff,

v.

06-cr-221-bbc

JAMES FRAZIER,

Defendant.

In November 2011, defendant James Frazier moved for a sentencing reduction under 18 U.S.C. § 3582. His motion was denied on December 2, 2012 because at sentencing his sentence was determined by his status as a career offender and not by drug quantity and thus he is not entitled to the reduction.

Now defendant has filed another § 3582 motion. Because defendant failed to appeal the December 2, 2012 order, he is not entitled to file another motion seeking the same relief as his previous motion.

ORDER

Defendant James Frazier's motion for a reduction of sentence under 18 U.S.C. § 3582 is DENIED because the court lacks the authority to grant it.

Entered this 22d day of June, 2012.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge