

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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHELE NELSON,

Defendant.  
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ORDER

06-cr-8-bbc

Defendant Michele Nelson has filed a motion to proceed in forma pauperis and “Motion for Reduction of Sentence/Correction of Criminal History Points,” alleging that she is entitled to a reduction in her sentence under a 2007 amendment to the sentencing guidelines on calculation of criminal history points. If the amendment had been made retroactive, it is possible that defendant’s motion could be entertained under 18 U.S.C. § 3582(c)(2), but the amendment has never been made retroactive. Therefore, defendant’s motions must be denied.

ORDER

IT IS ORDERED that defendant Michele Nelson’s motion for reduction of sentence by correcting the number of criminal history points and her motion to proceed in forma

pauperis are denied. Defendant is not entitled to a certificate of appealability because she has not made a substantial showing of the denial of a constitutional right.

Entered this 1st day of August, 2011.

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