

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

LEROY A. SHARP,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

ORDER

08-cr-112-bbc

Petitioner Leroy A. Sharp, has moved for a reduction of his sentence under Amendment 782, promulgated by the United States Sentencing Commission. Unfortunately for petitioner, he is not eligible for a reduction because he was classified as a career offender when he was sentenced in this court on April 15, 2009 and Amendment 782 does not affect the sentences of career offenders. Rather, as U.S.S.G. § 1B1.10 explains, the amendment applies only if it has the effect of lowering the defendant's applicable guideline range. In the case of a person who qualifies as a career offender, the guideline range is determined by the provisions applicable to career offenders, not by the drug quantity table.

If, in the future, the Sentencing Commission promulgates an amendment that makes career offenders eligible for sentence reductions, petitioner may file a new motion for reduction of this sentence. At present, however, he is not eligible for any reduction.

ORDER

IT IS ORDERED that petitioner Leroy A. Sharp's motion for a reduction in his sentence under U.S.S.G. Amendment 782 is DENIED.

Entered this 13th day of February, 2015.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge