

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL HAMMOND,

Defendant.

ORDER

09-cr-104-bbc

Defendant Michael Hammond has moved under 18 U.S.C. § 3582 for a reduction in the sentence imposed on him on January 4, 2010 and amended on August 24, 2010 and October 4, 2011. Defendant's motion is DENIED. When he was sentenced, he pleaded guilty to one count of possessing cocaine base (crack cocaine) with intent to distribute it in violation of 21 U.S.C. § 846. At sentencing, he was determined to be a career offender as defined in U.S.S.G. § 4B1.1(a). Unfortunately for defendant, the amendment to the guidelines does not apply to him, because his sentence was determined by his status as a career offender and not by drug quantity. Therefore, I must deny his motion for a sentence reduction.

ORDER

IT IS ORDERED that defendant Michael Hammond's motion for a reduction in his sentence pursuant to 18 U.S.C. § 3582 is DENIED.

Entered this 6th day of December, 2012.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge