

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRADLEY HILL,

Defendant.

ORDER

09-cr-6-bbc

Defendant Bradley Hill has moved for a sentencing reduction under 18 U.S.C. § 3582(c)(2). Unfortunately for defendant, he is not eligible for a reduction.

When defendant was first sentenced, he had been found to have a total offense level of 33, with a criminal history score of I. His sentence was 96 months, which was well below his guideline range of 135-168 months.

With the recent reduction in the sentencing guidelines, defendant's revised total offense level is now 31 and his amended guideline range is 108 to 135 months. Because defendant's 96-month sentence is below the bottom of his amended guideline range of 108 to 135 months, the retroactive amendment does not have the effect of reducing his sentence. Under U.S.S.G. § 1B1.10(b)(2)(A), except for reductions based on substantial assistance, a court may not reduce a defendant's term of imprisonment under 18 U.S.C. § 3582(c)(2) and the retroactively amended guideline range to a prison term that is less than the

minimum of the amended guideline range.

ORDER

IT IS ORDERED that defendant Bradley Hill's motion for a reduction in his sentence under 18 U.S.C. § 3582(c)(1) is DENIED.

Entered this 4th day of May, 2015.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge