

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

EMETERIO VELAZQUEZ,

Defendant.

ORDER

12-cr-62-bbc

Defendant Emeterio Velazquez has filed a request for appointment of counsel to represent him on a motion filed under 18 U.S.C. § 3582(c)(2) for a reduction of his sentence. Section 3582(c)(2) allows a defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered to seek a reduction of his sentence. The court may reduce the term, after considering the factors set forth in section 3553(a) to the extent they are applicable.

Unfortunately, defendant is not eligible to obtain a reduction of his sentence under § 3582(c)(2) because he was sentenced to a mandatory minimum term set by Congress. That term has not been reduced by the sentencing commission because the commission has no authority to do so. Accordingly, there is no need for defendant to have counsel and therefore, no reason to grant his motion for appointment of counsel.

ORDER

IT IS ORDERED that defendant Emeterio Velazquez's motion for appointment of counsel to represent him on a motion under 18 U.S.C. § 3582(c)(2) is DENIED.

Entered this 27th day of July, 2016.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge