

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

FONG VANG,

Defendant.

ORDER

96-cr-11-bbc

Defendant Fong Vang has filed a “Motion to Compel Performance of Plea Agreement” in which he asks the court to order the United States Attorney to file a motion for a modification of the sentence imposed on him on July 18, 1997, based upon his assistance to the government under the terms of the plea agreement.

If defendant believes that he is entitled to a reduction in his sentence based upon his substantial assistance to the government under Rule 35, he should direct his inquiry to the United States Attorney. It is solely within the government’s jurisdiction to file such a motion. The court has no authority to act on a Rule 35 motion filed by the defendant.

ORDER

IT IS ORDERED that defendant Fong Vang's motion to compel performance of his plea agreement is DENIED on the ground that the court lacks the authority to grant the relief requested.

Entered this 28th day of January, 2013.

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