

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARLES GOKEY

Defendant.

ORDER

04-cr-115-bbc

Defendant Charles Gokey has filed a motion pursuant to 18 U.S.C. § 3582, seeking a reduction of the sentence imposed upon him in this court on January 29, 2009. The motion will be granted.

When defendant was sentenced in 2009, he was given a term of imprisonment of 151 months, which was at approximately the midpoint of the sentencing guideline range of 135 to 168 months. Under the amended guidelines, defendant has an advisory guideline range of 92 to 115 months.

Defendant has asked for a sentence of 100 months, at the bottom of the amended sentencing range. The government argues for a decrease to the midpoint of the amended range or 103 months.

After reviewing defendant's presentence report, I am persuaded that a sentence at the midpoint of the amended guideline range would be sufficient to protect the community, provide defendant the opportunity for substance abuse counseling and other rehabilitative programs, including vocational training, and achieve parity with the sentences of similarly situated offenders.

ORDER

IT IS ORDERED that the judgment and commitment order signed on January 29, 2009 is AMENDED to provide that the sentence imposed on defendant Charles Gokey is reduced to 103 months. In all other respects, the judgment and commitment order remains as signed on January 29, 2009.

Entered this 18th day of November, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge