

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

-----  
UNITED STATES OF AMERICA,

Plaintiff,

ORDER

04-cr-74-bbc-1

v.

TONY LISTER,

Defendant.

-----

Defendant Tony Lister has filed a motion pursuant to 18 U.S.C. § 3582, seeking a reduction of the sentence entered by this court on May 6, 2009. The motion will be granted.

When defendant was sentenced in 2009, his term of imprisonment was 294 months, which was at the midpoint of the sentencing guideline range of 262 to 327 months. Under the amended guidelines, defendant has an advisory guideline range of 210 to 262 months.

Defendant has asked for a sentence of 210 months, at the bottom of the amended sentencing range. The government argues for a decrease to the midpoint of the amended range, or 235 months.

I am persuaded that a sentence at the midpoint of the amended guideline range is

reasonable and 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 entered on May 6, 2009 is AMENDED to provide that the sentence imposed on defendant Tony Lister is reduced to 235 months. In all other respects, the judgment and commitment order remains as entered on May 6, 2009.

Entered this 23d day of November, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge