

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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

TIMOTHY HOTCHKISS,

Defendant.

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ORDER

05-cr-107-jcs

Defendant Timothy Hotchkiss has filed a motion pursuant to 18 U.S.C. § 3582, seeking a modification of the sentence imposed upon him on January 26, 2006. Defendant says that in computing the offense level for his sentencing guidelines, the probation office included several grams of cocaine base, making him eligible for a sentence reduction under the change in the crack cocaine guidelines.

In Judge Shabaz's absence for a medical leave, I have reviewed defendant's presentence report carefully without finding any reference to crack or base cocaine. Nothing in the entire report suggests that crack cocaine played any part in the calculation of defendant's offense level. I must conclude therefore that defendant is not eligible for any sentence reduction.

ORDER

IT IS ORDERED that defendant Timothy Hotchkiss's § 3582 motion for a sentence reduction under 18 U.S.C. § 3582 is DENIED.

Entered this 8th day of May, 2008.

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