

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

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UNITED STATES OF AMERICA,

ORDER

Plaintiff,

v.

05-cr-22-bbc

JEFFREY McREYNOLDS,

Defendant.  
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Defendant Jeffrey McReynolds has moved for a sentencing reduction under 18 U.S.C. § 3582. He contends that because he was sentenced for possession with intent to distribute cocaine base (crack cocaine) and the guidelines for crimes involving distribution of crack cocaine have been lowered and given retroactive effect, he is entitled to a reduction in his sentence. He is mistaken.

Defendant was sentenced on October 20, 2005, to a term of imprisonment of 235 months. His sentence was based on a total offense level of 33. His guideline imprisonment range was 188 to 235 months. Defendant was held accountable for a drug quantity of between 500 grams and 1.5 kilograms of cocaine base (crack cocaine).

In February of 2009, defendant was resentenced under § 3582 to 151 months based on an adjusted total offense level of 31.

Under the most recent retroactive amendment, defendant's total offense level remains at 31. Because the amendment does not have the effect of lowering defendant's guideline range, relief under § 3582 is not authorized.

ORDER

Defendant Jeffrey McReynolds's motion for a reduction of sentence under 18 U.S.C. § 3582 is DENIED.

Entered this 6th day of March, 2012.

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