

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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

JEFFREY McREYNOLDS

Defendant.  
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ORDER

05-cr-22-bbc

Defendant Jeffrey McReynolds applied for and received a reduction in his sentence under 18 U.S.C. § 3582(c)(2) and Amendment 782 to the Sentencing Guidelines. On December 29, 2014, his sentence was reduced to 121 months from 151 months and his release date became November 1, 2015. Dkt. #141. He has now moved for an amendment of that order.

Before the reduction was granted, defendant's projected release date was March 27, 2016, and he had been told that he would be released from prison to a residential reentry center on March 27, 2015 for a full 12 months of placement. Since his sentence was reduced, he has learned that he will not be released to a community placement until June 2015, three months later than he had anticipated. He wants the court to tell the Bureau of Prisons that it has not adhered properly to the court's order and direct it to release him immediately to home detention.

It is understandable that defendant is disappointed about the three-month delay in

his transfer to a reentry center, but that decision by the Bureau is outside this court's authority. Defendant has a term of imprisonment to serve; it is up to the Bureau of Prisons to determine whether he should serve that term only in a prison or correctional institution or whether he can serve it in part in a residential reentry center. Although defendant seems to think that a transfer to a reentry center is a "release from imprisonment," it is merely a change in housing. He will remain in the custody of the Bureau until his term of imprisonment has been served.

Under the December 29 order, defendant may lose three months in a reentry center, but he will be released from *all* custody almost four months earlier than he would have been had he not qualified for a reduction in his sentence. He has failed to show that an amendment of the order is warranted.

#### ORDER

IT IS ORDERED that defendant Jeffrey McReynolds's motion to amend the order entered herein on December 29, 2014, dkt. #141, is DENIED.

Entered this 14th day of May, 2015.

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