

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

UNITED STATES OF AMERICA,

Plaintiff,

ORDER

05-cr-94-bbc

v.

DARRIEL CROSS,

Defendant.

Defendant Darriel Cross has filed a motion pursuant to 18 U.S.C. § 3582, seeking a reduction of the sentence imposed upon him in this court on April 30, 2008. The motion will be granted.

When defendant was sentenced in 2008, his term of imprisonment was 146 months, which was at the midpoint of the sentencing guideline range of 130 to 162 months. Under the amended guidelines, defendant has an advisory guideline range of 92 to 115 months.

Defendant has asked for a sentence of 92 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.

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 signed on April 30, 2008 is AMENDED to provide that the sentence imposed on defendant Darriel Cross is reduced to 103 months. In all other respects, the judgment and commitment order remains as signed on April 30, 2008.

Entered this 22d day of November, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge