

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

UNITED STATES OF AMERICA,

Plaintiff,

ORDER

v.

06-cr-002-bbc-02

DONALD S. LANDIS,

Defendant.

Defendant Donald S. Landis has filed a motion seeking designation to a state prison for service of his federal sentence. The motion will be denied.

Defendant was sentenced on August 17, 2006 in the Western District of Wisconsin to a term of four years, to be followed by three years of supervised release. Because he is serving a state sentence, his federal term of imprisonment will not begin to run until his state sentence has terminated. He contends that he is being denied opportunities for rehabilitative programming because of the federal detainer pending against him. In his view, he would benefit from a decision from the Bureau of Prisons designating his state institution as the place for service of his federal term of imprisonment.

Defendant may very well be correct that it would be in his best interest to continue to serve his federal sentence in the state institution. However, that is a decision to be made

by the United States Bureau of Prisons and not by this court. With rare exceptions, designation decisions are within the exclusive authority of the Bureau of Prisons.

ORDER

IT IS ORDERED that defendant Donald S. Landis's motion for designation to a state prison for service of his federal sentence is DENIED.

Entered this 2d day of January, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge