

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

GEORGE TAYLOR,

Defendant.

ORDER

06-cr-105-bbc

Defendant George Taylor has filed a motion pursuant to 18 U.S.C. § 3582, seeking a reduction of the sentence imposed upon him on November 15, 2006. Defendant's original total adjusted offense level was 31; he was sentenced to 124 months, a sentence just above the midpoint of the sentencing guideline range of 108-135 months. Under the amended guidelines, his base offense level is 32, reduced by three levels for acceptance of responsibility. With an offense level of 29 and a criminal history category of I, defendant has an advisory guideline range of 87 to 108 months.

Defendant asks for a sentence of 87 months, at the bottom of the amended sentencing range. The government argues for a proportional decrease to above the midpoint of the amended range, or 99 months.

I am persuaded that in this case a reduction to the bottom of the range is justified as a response to the sentencing discrepancy between crack and powder cocaine offenses. Defendant has not asked for a sentence below the guideline range and I am not inclined to give him one under whatever authority I have under Kimbrough v. United States, 128 S. Ct. 558 (2007). I believe that the reduced sentence I am giving him will best carry out the statutory purposes of sentencing. It will continue to reflect the severity of defendant's crime, protect the community and achieve parity with the sentences of similarly situated defendants.

ORDER

IT IS ORDERED that the judgment and commitment order entered on November 15, 2006, is AMENDED to provide that the sentence imposed on defendant George Taylor is reduced to 87 months. In all other respects, the judgment and commitment order remains as entered on November 15, 2006.

Entered this 26th day of April, 2008.

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