

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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

DERRICK BARBER,

Defendant.  
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ORDER

3:06-cr-108-bbc

Defendant's court appointed trial counsel has asked for preparation of defendant's sentencing transcripts at government expense "in light of recent crack guideline changes and findings of retroactivity." The request will be DENIED.

Defendant was resentenced on the government's motion on December 13, 2007. At the time, I noted that the November 2007 change in the guidelines relating to crack cocaine sentences "would make no difference to defendant's offense level in this case because defendant was sentenced as a career offender." For the same reason, defendant does not need a copy of his sentencing transcripts in order to consider seeking a reduction in his sentence based on the changes in the crack cocaine guidelines. Defendant's sentence was not based on the crack cocaine guidelines but was based on his status as a career offender.

ORDER

IT IS ORDERED that defendant's request for a transcript of his December 13, 2007 resentencing is DENIED on the ground that defendant has shown no good reason to have the transcripts prepared at government expense.

Entered this 27th day of December, 2007.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge