

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY BURKS,

Defendant.

ORDER

06-cr-174-bbc

Defendant Gregory Burks has filed a motion pursuant to 18 U.S.C. § 3582, seeking a reduction of the sentence imposed upon him on July 17, 2007 and amended on March 6, 2009 and December 3, 2009. When defendant was resentenced in December of 2009, his term of imprisonment was 132 months, which was near the top of the sentencing guideline range of 110 to 137 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 near the top of the amended range or 110 months.

I am persuaded that a sentence near the top 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 entered on December 10, 2009 is AMENDED to provide that the sentence imposed on defendant Gregory Burks is reduced to 110 months. In all other respects, the judgment and commitment order remains as entered on December 10, 2009.

Entered this 27th day of December, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge