

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

KIMBERLY A. FLEMING,

Defendant.

ORDER

07-CR-0056-C

Defendant has filed a request for a modification of the conditions of her sentence to include home confinement. I have no authority to modify her sentence in any respect. Once the sentencing judge has imposed a sentence, the judge loses jurisdiction to make any changes in the sentence except in two specific circumstances. One of these is upon motion of the United States Government in recognition of substantial assistance that the defendant has provided the government or if the court of appeals should reverse the defendant's conviction. Neither of these things has happened in this case, so I must deny defendant's motion.

ORDER

IT IS ORDERED that defendant's motion for modification of her sentence is DENIED on the ground that the court lacks the authority to grant the relief requested.

Entered this 5th day of October, 2007.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge