

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

UNITED STATES OF AMERICA,

Plaintiff,

ORDER

07-cr-157-bbc

v.

DEANDRE BISHOP,

Defendant.

Defendant has filed a document entitled “Motion to Reconsider to Override Lower Court’s Decision” in which he asks for reconsideration of the court’s imposition of defendant’s sentence to run consecutively to his state court sentences. This is not the first time that defendant has asked for reconsideration of his sentence. As I explained in an April 15, 2008 order as well as in a December 1, 2010 letter to defendant, I have no authority to change defendant’s sentence. Once a judge imposes a sentence, the judge loses all authority to modify that sentence. There are a few exceptions: one is if the conviction and sentence are overturned and the case is remanded to the sentencing judge for resentencing; another is if the government moves for a reduction of sentence to recognize a defendant’s cooperation with the government. The third exception is if the defendant files a motion for post conviction relief that is granted. The requirements for post conviction relief are very strict

and must be followed precisely if the applicant is to even have a chance to be heard.

ORDER

Defendant's motion to reconsider his sentence is DENIED.

Entered this 8th day of September, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge