

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHNNIE R. PLUMMER,

Defendant.

ORDER

07-cr-22-bbc

Defendant Johnnie R. Plummer has filed a motion pursuant to 18 U.S.C. § 3582, seeking a modification of the sentence imposed upon him on August 10, 2007. His motion must be denied.

When I sentenced defendant, I reduced his base offense level by two levels to reflect the anticipated reduction in the sentencing guidelines that was incorporated into Amendment 706. In other words, defendant has already had the benefit of the new sentencing guidelines for crack cocaine. He is not eligible for a second reduction.

ORDER

IT IS ORDERED that defendant Johnnie Plummer's motion for a sentence reduction

under 18 U.S.C. § 3582 is DENIED.

Entered this 10th day of February, 2009.

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