

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

NEKEYA PATTON,

Defendant.

MEMORANDUM

07-cr-24-bbc

In an order entered July 2, 2008, the Court of Appeals for the Seventh Circuit remanded this case to this court for consideration of resentencing under Kimbrough v. United States, 128 S. Ct. 558 (2007), and to allow defendant an opportunity to move for a reduction of her sentence in light of the changes in the crack cocaine sentencing guidelines. Reviewing the previous sentence, defendant's presentence report and the Court's decision in Kimbrough, I am inclined to resentence defendant. Accordingly, I am asking the court of appeals to remand this case in full so I may resentence defendant.

Entered this 5th day of September, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge