

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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

CASSANDRA SMITH,

Defendant.

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ORDER

08-cr-11-bbc

Defendant Cassandra Smith has moved for a sentencing reduction under 18 U.S.C. § 3582(c)(2) and Amendments 706 and 711 to the Sentencing Guidelines. She contends that because she was sentenced for possession with intent to distribute cocaine base (crack cocaine) and the guidelines for crimes involving distribution of crack cocaine have been lowered and given retroactive effect, she is entitled to a reduction in her sentence. She is wrong; she has already received the benefit of the amendments. She was sentenced under the November 2007 guidelines manual; that manual incorporated the amendments for crack cocaine sentences. Therefore, her base offense level at the time of sentencing was 30. Had the amendments not been taken into account, her base offense level would have been 32.

ORDER

IT IS ORDERED that defendant Cassandra Smith's motion for a sentence reduction under 18 U.S.C. § 3582 is DENIED.

Entered this 12th day of November, 2010.

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