

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

LEROY SHARP,

Defendant.

ORDER

08-cr-112-bbc

Defendant Leroy Sharp has filed a motion under Fed. R. Crim. P. 32 in which he asks the court to correct what he believes is a factual error in his March 2011 presentence investigation report related to a possible juvenile adjudication as a sex offender. He contends that this adjudication should not have been included in the report because it was not supported by any specific information. He says that as a result of this designation, the Bureau of Prisons is classifying him at a higher security level in prison.

Defendant's motion must be DENIED as untimely; the inclusion of the information he finds objectionable is not erroneous. This court's presentence report does not identify defendant as a sex offender. It notes only that the Wisconsin Department of Corrections lists him as one and that the state records do not show any adult sex offense. As I told defendant at his sentencing, his challenge is directed to the wrong governmental entity. If he believes that he is wrongly identified, he should ask the Department of Corrections to

correct the information in its records.

ORDER

IT IS ORDERED that defendant Leroy Sharp's motion under Fed. R. Crim. 32 to correct his presentence investigation report is DENIED.

Entered this 29th day of May, 2013.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge