

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEFFREY ROBINSON,

Defendant.

ORDER

08-cr-153-bbc

Defendant Jeffrey Robinson has filed a motion for modification of the sentence imposed on him on September 24, 2009, under the retroactive change in the sentencing guidelines and based upon his rehabilitative efforts and the hardship caused to his family by his incarceration.

Defendant filed a motion on November 8, 2011, seeking a two level reduction in his sentence under the retroactive change in the sentencing guidelines. His motion was denied in an order entered on December 28, 2011. As I explained to defendant in that order, he is not eligible for a reduction under the new crack cocaine guidelines because he was sentenced to a mandatory term of 120 months in prison. That term was set by statute and can be changed only by an act of Congress. It is not affected by changes in the sentencing

guidelines.

Defendant's request for a reduction in his sentence based upon his rehabilitative efforts and the hardship caused to his family by his incarceration must be denied as well. Although defendant's efforts at rehabilitation are commendable, Congress does not allow a court to reduce defendant's sentence for either of these reasons.

ORDER

IT IS ORDERED that defendant Jeffrey Robinson's motion to modify his sentence is DENIED on the ground that the court lacks the authority to grant the relief requested.

Entered this 9th day of January, 2015.

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