

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

DERRICK SYKES,

Defendant.

ORDER

09-cr-61-bbc

Defendant Derrick Sykes has filed a motion in which he asks that his federal sentence be credited with the 171 days he served prior to sentencing. The motion must be denied.

Defendant was not in federal custody while awaiting sentencing in this case; he was in state custody serving a two-year term of imprisonment imposed on him on August 24, 2009 in the Circuit Court for Rock County Case No. 06CF3815. Defendant is not entitled to any credit for time he served prior to his federal sentencing date because that time was credited toward his Rock County sentence and cannot be counted toward his federal sentence.

ORDER

Defendant Derrick Sykes's motion to be given credit on his federal sentence for time served before his sentencing is DENIED.

Entered this 21st day of June, 2012.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge