

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANCISCO URESTI,

Defendant.

ORDER

13-cv-440-bbc
09-cr-62-bbc

Defendant Francisco Uresti has filed a motion for reduction of his sentence under 18 U.S.C. § 3582(c)(2). Defendant alleges that he has a serious medical condition that requires specialized medical care that is not available at FCI Pekin. He believes that if he is given a reduction in his sentence, he could be transferred to medical prison facility where he could receive the specialized medical treatment he believes he needs.

Section 3582(c)(2) does not authorize a court to correct a sentence for any reason other than a retroactive change in the sentencing guidelines. Once a judge imposes a sentence, the judge loses authority to reduce or modify the sentence unless the sentence is vacated and remanded to the sentencing court by the court of appeals.

If defendant believes that prison officials are violating his civil rights by denying him

adequate medical treatment, he is free to file a civil suit.

ORDER

Defendant's motion for reduction of sentence under 18 U.S.C. § 3582 is DENIED for lack of jurisdiction.

Entered this 27th day of January, 2014.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge