

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEBRA PATROELJ,

Defendant.

ORDER

10-cv-182-bbc

Defendant Debra Patroelj has filed a motion for modification of the sentence imposed on her on June 7, 2011, based upon her assistance to the government and her rehabilitative efforts.

I have no authority to reduce defendant's sentence. Once the sentencing court has imposed a sentence, the court loses jurisdiction to make any changes in the sentence except in two specific circumstances: (1) if the United States Government moves for a reduction in recognition of substantial assistance that the defendant has provided; or (2) if the court of appeals reverses defendant's conviction. Neither of these things has happened in this case, so I must deny defendant's motion.

If defendant believes that she is entitled to a reduction in her sentence based upon

her substantial assistance to the government under Rule 35, she should direct her inquiry to the United States Attorney. It is solely within the government's jurisdiction to file such a motion.

While defendant's efforts at rehabilitation are commendable, I have no authority to reduce her sentence based upon such efforts.

ORDER

IT IS ORDERED that defendant Debra Patroelj's motion to modify her sentence is DENIED on the ground that the court lacks the authority to grant the relief requested.

Entered this 26th day of July, 2012.

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