AO 247 (02/08) Order Regarding Motion for Sentence Reduction

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America	)	
v.	)	
KEITH McDOWELL	)	Case No: 99-6138-CR-GOLD
	)	USM No: 55029-004
Date of Previous Judgment: 03/02/2000	)	AFPD Michael Caruso
(Use Date of Last Amended Judgment if Applicable)	)	Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☑ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☑ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 140 months **is reduced to** 125 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level:	27	Amended Offense Level:	25
Criminal History Category:	V	Criminal History Category:	V
Previous Guideline Range:	120 to 150 months	Amended Guideline Range:	100 to 125 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☑ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

III. ADDITIONAL COMMENTS

The sentence is reduced to 125 months for the reasons stated of record at the motion hearing held June 10, 2008.

Except as provided above, all provisions of the judgment date 03/02/2000 shall remain in effect.

IT IS SO ORDERED.

Order Date: 06/10/2008

Judge's signature

Effective Date: 06/10/2008
(if different from order date)

ALAN S. GOLD, United States District Judge
Printed name and title

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