

AO 247 (06/09) Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

UNITED STATES DISTRICT COURT
for the

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

Southern District of Georgia
Savannah Division

2011 NOV -1 AM 9:00

United States of America
v.

CLERK Ad
SO. DIST. OF GA.

Tony Riley

) Case No: CR495-00010-016

) USM No: 08758-021

Date of Previous Judgment: March 12, 2008
(Use Date of Last Amended Judgment if Applicable)

) James R. Gardner

) 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, and taking into account the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

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 235 months is reduced to time served, plus 10 days.

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

Previous Offense Level: 38 Amended Offense Level: 36
Criminal History Category: I Criminal History Category: I
Previous Guideline Range: 235 to 293 months Amended Guideline Range: 188 to 235 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

Except as provided above, all provisions of the judgment dated March 12, 2008, shall remain in effect.

IT IS SO ORDERED.

Order Date: November 1, 2011

J. Randal Hall
Judge's signature

Effective Date: _____
(if different from order date)

J. Randal Hall
United States District Judge
Printed name and title