UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America
v.
Martin Avila

Case No: 1:02CR00141-008
USM No: 08508-027

Date of Original Judgment: 06/08/2007
Date of Previous Amended Judgment: 06/25/2009
(Use Date of Last Amended Judgment if Any)

Pro Se
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 policy statement set forth at USSG §1B1.10 and 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 _____ months **is reduced to** _____ .

(Complete Parts I and II of Page 2 when motion is granted)

Because of the quantity of drugs involved in this offense, the base offense level remains 38; therefore, Mr. Avila is not eligible for a sentence reduction.

A CERTIFIED TRUE COPY
Laura A. Briggs, Clerk
U.S. District Court
Southern District of Indiana
By _____ Deputy Clerk

Except as otherwise provided, all provisions of the judgment dated _____ shall remain in effect.

IT IS SO ORDERED.

Order Date: 5/25/2016

Effective Date: _____
(if different from order date)

LARRY J. McKINNEY, JUDGE
United States District Court
Southern District of Indiana

Distribution:

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