

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America

v.

Michael Foley

Case No: 1:12CR00133-011

USM No: 10911-028

Date of Original Judgment: 08/27/2013

Date of Previous Amended Judgment:

(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 amount of drugs involved in the offense, Mr. Foley's base offense level was not lowered as a result of the changes to the Drug Quantity Table at §2D1.1. Therefore, he is not eligible for a sentence reduction pursuant to Amendment 782.



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

IT IS SO ORDERED.

Order Date: May 12, 2016

Effective Date: _____
(if different from order date)

Larry J. McKinney
LARRY J. MCKINNEY, JUDGE
United States District Court
Southern District of Indiana

Distribution:

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