

# UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America

v.

David Burge

Case No: 3:12CR00002-001

USM No: 10556-028

Date of Original Judgment: 09/26/2012

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)

The defendant was sentenced pursuant to a binding Plea Agreement. The sentence agreed to by the parties was not tied to the sentencing guidelines.



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

**IT IS SO ORDERED.**

Order Date: 9/18/2015

Effective Date: \_\_\_\_\_  
(if different from order date)

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

Distribution:

David Burge  
Reg. No. 10556-028  
USP Big Sandy  
P.O. Box 2068  
Inez, KY 41224

Matthew P. Brookman  
UNITED STATES ATTORNEY'S OFFICE - EV  
[Matthew.Brookman@usdoj.gov](mailto:Matthew.Brookman@usdoj.gov)