UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America
v.
STEVEN ANDRE HEMPHILL

Case No: 1:06CR227-1
USM No: 21788-058

Date of Original Judgment: January 3, 2007
Date of Last Amended Judgment: N/A

Ross Richardson
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 _____ **is reduced to** _____

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

Original Offense Level:	29	Amended Offense Level:	23
Criminal History Category:	II	Criminal History Category:	II
Original Guideline Range:	120 to 121 months	Amended Guideline Range:	120 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 and the reduced sentence is comparably less than the amended guideline range.
❒ The reduced sentence is above the amended guideline range.
■ Other (explain): Due to the statutory mandatory minimum sentence required in this case, there is no change in the guideline calculations.

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated January 3, 2007, shall remain in effect.

IT IS SO ORDERED.

Order Date: May 10, 2013

Effective Date: _____
(if different from order date)

Martin Reidinger
United States District Judge