IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 02-cr-00361-JF
	:	
FELIX ROMAN	:	

MEMORANDUM

Fullam, Sr. J. May 11, 2009

Defendant has filed a motion to reduce his sentence, pursuant to 18 U.S.C. § 3582(c)(2)(the retroactive reduction of the Sentencing Guidelines as applied to crack cocaine cases). As the record of the sentencing hearing makes clear, however, defendant's sentence was compelled by the applicable statutory minimum sentence, and was not based at all upon the Guidelines. The motion will therefore be denied.

An Order follows.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.

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	:	
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	:	
FELIX ROMAN	:	

ORDER

AND NOW, this 11th day of May 2009, upon consideration of the Defendant's Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(2), and the government's response, IT IS ORDERED:

That the defendant's motion is DENIED.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.