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

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 07-cr-174-04-JF
	:	
JACKIE JAMES HILLS	:	

MEMORANDUM

Fullam, Sr. J. December 10, 2009

On February 23, 2009, the above-named defendant, Jackie James Hills, filed in the Clerk's Office a "Request for Appointment of Counsel and Request to Proceed with Consideration," in order to obtain reconsideration of his sentence because of the retroactive amendment of the Sentencing Guidelines relating to crack cocaine offenses. Apparently, the document was not served on the U.S. Attorney's Office or anyone else, so there has been some delay in disposing of the application.

Mr. Hills' application must be denied. The record discloses (1) Mr. Hills was sentenced under the amended guidelines, and does not qualify for any adjustment due to the retroactive impact of the change; and (2) in Mr. Hills' case, the government made a motion for reduced sentence under 5(k)(1), and the motion was granted. Mr. Hills is simply not eligible for any modification of sentence. An Order follows.

BY THE COURT:

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

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 07-cr-174-04-JF
	:	
JACKIE JAMES HILLS	:	

ORDER

AND NOW, this 10th day of December 2009, upon consideration of defendant's "Request for Appointment of Counsel and Request to Proceed with Consideration," IT IS ORDERED:

That the defendant's motion is DENIED.

BY THE COURT:

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