

UNITED STATES DISTRICT COURT

DISTRICT OF CONNECTICUT

JOHN MOCK, III :  
v. : NO. 3:97CR00004(EBB)  
UNITED STATES OF AMERICA :

RULING ON MOTION FOR RETROACTIVE APPLICATION OF THE COCAINE BASE AMENDMENT

Defendant has moved, pro se, for a reduction in his sentence citing the recent amendment to the Sentencing Guidelines relative to crack cocaine offenses.

On January 6, 1998, the court sentenced the defendant to 212 months' imprisonment and 4 years of supervised release following his plea of guilty to possession with intent to distribute cocaine base in violation of 21 U.S.C. § 841(a)(1). The court had found the defendant to be a career offender under U.S.S.G. § 4B1.1(a). As a result his total offense level of 31 under § 4B1.1(c)(B) yielded a guideline range of 188 to 235 months of imprisonment.

Because defendant was sentenced as a career offender and did not receive a downward departure, he is ineligible in accordance with U.S.S.G. § 1B1.10, comment, for a sentence reduction, and the motion [Doc. No. 89] is denied.

ORDERED.

*EB*  
**/s/ Ellen Bree Burns, SUSJ**

**ELLEN BREE BURNS, SENIOR JUDGE**  
**UNITED STATES DISTRICT COURT**

Dated at New Haven, CT, this 23<sup>2</sup> day of June, 2009.