

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA

v.

Case No. 3:06 cr 202 (PCD)

TERRY COLLIER

ORDER

As defendant's originally calculated guideline range was based on an amount of crack cocaine for which defendant was found responsible it would be deemed a crack cocaine guideline. The Court's departure to a non-guideline sentence was based on an improper career offender factor. He is found to be eligible for a sentence reduction as a result. See U.S. v. McGee 553 F.3d 225. The resulting offense level is 21, with a category V and a range of 70 to 87 months. In keeping with the prior sentence at the low end of the range, the original sentence is vacated and defendant is sentenced to imprisonment of 70 months. All other aspects of the original sentence will remain.

SO ORDERED.

Dated at New Haven, Connecticut, March 23, 2009.

/s/

Peter C. Dorsey, Senior
United States District Judge