

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America)
v.)

Derrick Ronard Gibbs)

Date of Previous Judgment: 09/04/2002)
(Use Date of Last Amended Judgment if Applicable))

Case No: 5:98cr192-4
USM No: 13690-058
Tanzania C. Cannon Eckerle
Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of [X] 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,

IT IS ORDERED that the motion is:

[X] DENIED. [] GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

REASON FOR DECISION:

In the Court's discretion, the sentence of the Defendant will not be reduced due to the violent role of the Defendant in the conspiracy for which he stands convicted, and also because of his disciplinary citation while in custody. See 18 U.S.C. § 3553(a)(1) and 18 U.S.C. § 3553(a)(2)(A) and (C).

IT IS SO ORDERED.

Signed: July 29, 2008

[Handwritten signature of Richard L. Voorhees]

Richard L. Voorhees
United States District Judge

