

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Defendant.

Case No. _____

Hon. _____

Motion for Modification or Reduction of Sentence Pursuant to 18 U.S.C. § 3582(c)(2)
(Guideline Amendment No. 821)

Defendant, through counsel, hereby requests a modification or reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2) and Amendment 821 to the United States Sentencing Guidelines. First, Amendment 821 decreases “Status Points” by one point for defendants with seven or more criminal history points and eliminated “Status Points” for defendants with six or fewer criminal history points. “Status Points” are those points that were applied under then-United States Sentencing Guideline (U.S.S.G.) § 4A1.1(d) if the defendant committed his or her federal offense while on probation, parole, supervised release, imprisonment, work release, or escape status. Second, Amendment 821 provides for a decrease of two offense levels for “Zero-Point Offenders” (no criminal history points), whose offense did not involve specific aggravating factors. The change is retroactive as of November 1, 2023, and has an effective date of February 1, 2024.

In support of this motion, Defendant states as follows:

1. I am serving a term of imprisonment.
2. My presentence report:

included "Status Points" in the calculation of my criminal history score under then-U.S.S.G. § 4A1.1(d).

scored me as having zero criminal history points.

3. I was sentenced in the Western District of Michigan on _____ (date) to a term of _____ months in prison. My total offense level was _____ and my criminal history category was _____.

4. My projected release date is _____.

5. I hereby request that the undersigned be appointed as my attorney at no cost to me.

If requesting counsel, in support of my request, I have completed a Financial Affidavit, which will be e-filed separately under restricted access. (Note: appointment of counsel is discretionary with the Court.)

PLEASE DO NOT ATTACH ANY OTHER MATERIALS AT THIS TIME OR YOUR MOTION WILL BE REJECTED AND RETURNED. IF APPLICABLE, FILE THE FINANCIAL AFFIDAVIT SEPARATELY WITH THE COURT WITH ACCESS RESTRICTED TO THE DEFENDANT AND THE COURT.

Counsel for Petitioner

Date: _____

Name: _____

Address: _____

Telephone: _____ Email address: _____