

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with Fed. R. App. P. 32.1

United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

Submitted January 5, 2021*

Decided January 27, 2021

Before

DIANE S. SYKES, Chief Judge

ILANA DIAMOND ROVNER, Circuit Judge

MICHAEL B. BRENNAN, Circuit Judge

No. 20-1751

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

Appeal from the United States District
Court for the Central District of Illinois.

v.

04-20055-001

WILLIAM D. DICKERSON,
Defendant-Appellant.

Sara Darrow,
Chief Judge

ORDER

More than a decade after his conviction for conspiring to distribute powder and crack cocaine, William Dickerson sought a sentence reduction under the First Step Act of 2018, Pub. L. No. 115-391, § 404, 132 Stat. 5194, 5222. The district judge denied relief. Because Dickerson's sentence is currently the statutory minimum, we affirm.

* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

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Dickerson pleaded guilty in 2005 to conspiring to distribute more than 5 kilograms of powder cocaine, 21 U.S.C. § 841(b)(1)(A)(ii), and more than 50 grams of crack cocaine, *id.* § 841(b)(1)(A)(iii). Under then-existing law, the court sentenced him to the statutory minimum of 240 months in prison, plus 10 years of supervised release.

In 2018 Dickerson moved to reduce his prison term under the newly passed First Step Act. Section 404 of the Act made retroactive certain parts of the Fair Sentencing Act of 2010, Pub. L. No. 111-220, 124 Stat. 2372. Defendants convicted of a “covered offense”—an offense for which the statutory penalty was modified by the Fair Sentencing Act—may seek a lower sentence. Dickerson argued that because crack offenses under § 841(b)(1)(A)(iii) are covered under the Act, the judge could revise his prison term.

The judge denied the motion. Though crack offenses are covered under the 2018 Act, distribution of powder cocaine is not. Dickerson’s 240-month sentence was the statutory minimum for his powder-cocaine offense, so the judge had no room to reduce his sentence. The judge also denied his motion for reconsideration.

On appeal Dickerson maintains that his conviction is “covered” under the First Step Act, making him eligible for resentencing. He cites *United States v. Shaw*, 957 F.3d 734, 739 (7th Cir. 2020), which held that “the statute of conviction alone determines eligibility for First Step Act relief.” He notes that he was charged with conspiring to distribute both crack and powder cocaine, and proof of either carried the same penalty, so his guilty plea spared the government the need to prove the powder-cocaine offense. He maintains that his guilty plea was the same as a plea that he distributed only crack cocaine, so it is covered by the Act.

We need not decide whether the Act covers a conviction for both cocaine and powder offenses. Even if it does, Dickerson cannot obtain relief. In his guilty plea, he stipulated to conspiring to distribute more than 50 grams of crack and more than 5 kilograms of powder cocaine. Under a retroactive application of the Fair Sentencing Act, the statutory minimum sentence for his powder-cocaine offense is 240 months. *See* Fair Sentencing Act of 2010 §§ 2, 3. Nothing in the First Step Act allows a court to disregard statutory minimum sentences for powder-cocaine offenses. *See United States v. Gravatt*, 953 F.3d 258, 264 n.5 (4th Cir. 2020).

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We have considered Dickerson's other arguments, and they are without merit.

AFFIRMED

United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

March 10, 2021

Before

DIANE S. SYKES, Chief Judge

ILANA D. ROVNER, Circuit Judge

MICHAEL B. BRENNAN, Circuit Judge

No. 20-1751

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

WILLIAM D. DICKERSON,
Defendant-Appellant.

Appeal from the United States
District Court for the Central
District of Illinois.

No. 04-20055-001

Sara Darrow,
Chief Judge

ORDER

On consideration of the petition for rehearing and for rehearing en banc, no judge in active service requested a vote on the petition for rehearing en banc, and all judges on the original panel voted to deny rehearing. It is therefore ordered that the petition for rehearing and for rehearing en banc is DENIED.

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APPEAL,CLOSED,REFER

**U.S. District Court
CENTRAL DISTRICT OF ILLINOIS (Urbana)
CRIMINAL DOCKET FOR CASE #: 2:04-cr-20055-JBM-1**

Case title: USA v. Dickerson

Date Filed: 09/01/2004

Magistrate judge case number: 2:04-mj-07235-DGB

Date Terminated: 04/28/2005

Assigned to: Judge Joe Billy McDade

Appeals court case numbers: '06-2042',
'06-3370', '07-2259' '7th Circuit',
'09-2857', 16-4055 USCA

Defendant (1)

William D Dickerson

TERMINATED: 04/28/2005

also known as

Trick

TERMINATED: 04/28/2005

represented by **Baku N Patel**

PATEL LAW PC

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TERMINATED: 07/31/2009

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Designation: Retained

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TERMINATED: 07/19/2021

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Pending Counts

CONSPIRACY TO DISTRIBUTE
NARCOTICS (From on or about 1998,
and continuing through at least 2001,
defendant did knowingly and
intentionally conspire with others to
possess with intent to distribute and to
distribute a mixture and substance
containing cocaine and cocaine base
("crack") in violation of 21 USC 846,
841(b)(1)(A) and 18 USC 2)
(1)

CONSPIRACY TO DISTRIBUTE
NARCOTICS (From on or about
September 2001, and continuing through
at least 2003, defendant did knowingly

Disposition

It is the judgment of the Court that the
defendant is hereby committed to the
custody of the Bureau of Prisons for a
term of 240 months. Said term shall
consist of 240 months on each of Counts
1 and 2, to be served concurrently. Upon
release from imprisonment, the
defendant shall be placed on supervised
release for a term of ten years and under
special conditions. This term shall
consist of ten years on each of Counts 1
and 2, to be served concurrently. The
defendant shall pay \$200 special
assessment.

It is the judgment of the Court that the
defendant is hereby committed to the
custody of the Bureau of Prisons for a
term of 240 months. Said term shall

and intentionally conspire with others, to possess with intent to distribute and to distribute a mixture and substance containing cocaine and cocaine base ("crack"), in violation of 21 USC 846, 841 (b)(1)(A), and 18 USC 2) (2)

consist of 240 months on each of Counts 1 and 2, to be served concurrently. Upon release from imprisonment, the defendant shall be placed on supervised release for a term of ten years and under special conditions. This term shall consist of ten years on each of Counts 1 and 2, to be served concurrently. The defendant shall pay \$200 special assessment.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

21:846=ND.F From on or about 1998 to 2003 defendant did conspire with others to distribute cocaine and possess with the intent to distribute cocaine; the conspiracy involved more than 5 kilograms of cocaine and more than 50 grams of cocaine base (crack) in violation of 21 USC 846 and 841.

Disposition**Disposition**

It is the judgment of the Court that the defendant is hereby committed to the custody of the Bureau of Prisons for a term of 240 months. Said term shall consist of 240 months on each of Counts 1 and 2, to be served concurrently. Upon release from imprisonment, the defendant shall be placed on supervised release for a term of ten years and under special conditions. This term shall consist of ten years on each of Counts 1 and 2, to be served concurrently. The defendant shall pay \$200 special assessment.

Plaintiff

USA

represented by **Eugene L Miller**
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/25/2004	1	COMPLAINT as to William D Dickerson (1). (KM, ilcd)[2:04-mj-07235-DGB] (Entered: 08/25/2004)
08/25/2004	2	Arrest Warrant Issued by David G. Bernthal as to William D Dickerson. (KM, ilcd)[2:04-mj-07235-DGB] (Entered: 08/25/2004)
08/25/2004		Arrest of William D Dickerson (KM, ilcd)[2:04-mj-07235-DGB] (Entered: 08/25/2004)
08/25/2004		Minute Entry for proceedings held before Judge David G. Bernthal. Appearance for Govt by AUSA Eugene Miller. Dft WILLIAM D DICKERSON present in person. Initial Appearance hearing held on 8/25/2004. Dft advised of charges and rights, including right to counsel. Dft requests court-appointed counsel and files financial affidavit. The Court finds dft qualifies for court-appointed counsel and appoints the Federal Defender's Office. AFD Tiffani Johnson, present in court, informs the Court that the Federal Defender's Office has a conflict; the Govt concurs. The Court appoints AFD Johnson for today's hearing only and will appoint counsel to represent defendant from the CJA panel of attorneys. Dft requests preliminary hearing be continued for appointed counsel to be present; no objection by Govt. Govt requests dft be detained. Dft also requests detention hearing be continued. Preliminary Examination and Detention Hearing are set for 8/27/2004 at 9:30 AM in Courtroom A before Magistrate Judge David G. Bernthal. Temporary order of detention to be entered. Case ordered unsealed. Dft

		is remanded to the custody of the US Marshal. (cc: USPO/USMS) (Tape #C220/3983-4936.) (KM, ilcd)[2:04-mj-07235-DGB] Modified on 9/3/2004 (VB, ilcd). (Entered: 08/25/2004)
08/25/2004	3	CJA 23 Financial Affidavit by William D Dickerson (KM, ilcd)[2:04-mj-07235-DGB] (Entered: 08/25/2004)
08/25/2004	4	TEMPORARY ORDER OF DETENTION as to William D Dickerson. Detention Hearing set for 8/27/2004 at 9:30 AM in Courtroom C before Magistrate Judge David G. Bernthal. Entered by Judge David G. Bernthal on 8/25/04. See written Order. (cc: USPO/USMS) (KM, [2:04ilcd)[2:04-mj-07235-DGB] (Entered: 08/26/2004)
08/26/2004		The Court appoints Attorney Joseph Chamley to represent Defendant William D Dickerson; Attorney Tiffani D Johnson is terminated from the case. The Clerk of Court is directed to fax a copy of Mr. Dickerson's file to Mr. Chamley. Mr. Chamley will be present for the detention/preliminary hearing scheduled for 9:30 a.m. on 8/27/04. (cc: USPO/USMS) (KM, ilcd)[2:04-mj-07235-DGB] Modified on 9/3/2004 (VB, ilcd). (Entered: 08/26/2004)
08/27/2004		ORAL MOTION to Continue preliminary hearing and detention hearing by defendant William D Dickerson at hearing held 8/27/04. (KM, ilcd)[2:04-mj-07235-DGB] (Entered: 08/27/2004)
08/27/2004		Minute Entry for proceedings held before Judge David G. Bernthal. Appearance for Govt by AUSA Eugene Miller. Dft WILLIAM DICKERSON present in person and with counsel Joseph P Chamley. Cause called for preliminary hearing. Dft makes oral motion to continue preliminary hearing and detention hearing. Preliminary Examination and Detention Hearing both set for 8/30/2004 at 2:00 PM in Courtroom C before Magistrate Judge David G. Bernthal. Temporary order of detention to remain in effect. Defendant is remanded to the custody of US Marshal. (cc: USPO/USMS) (Tape #C220/4936-5041; C221/1-153.) (KM, ilcd)[2:04-mj-07235-DGB] Modified on 9/3/2004 (VB, ilcd). (Entered: 08/27/2004)
08/30/2004		ORAL MOTION by dft William D Dickerson at hearing held 8/30/04 to continue preliminary and detention hearings for retained counsel to arrive at Courthouse. (KM, ilcd)[2:04-mj-07235-DGB] (Entered: 08/30/2004)
08/30/2004		Minute Entry for proceedings held before Judge David G. Bernthal. Appearance for Govt by AUSA Eugene Miller. Dft WILLIAM DICKERSON present in person and with counsel Joseph Chamley. Mr. Chamley advised that dft has retained atty Baku Patel and Mr. Patel is en route to Courthouse. Dft Dickerson confirms information. Oral motion by defendant to continue preliminary and detention hearings for Mr. Patel to be present. No objection by Govt. Motion granted and court in recess. Court reconvenes with appearance for Govt by AUSA Eugene Miller and Dft WILLIAM DICKERSON present in person and with counsel Baku Patel, who has filed a written entry of appearance. The Court terminates Atty Joseph Chamley's appointment as to dft Dickerson. Cause called for preliminary hearing. Evidence for Govt. Witness sworn; testimony heard. No evidence for dft. Argument heard by Govt and dft's counsel. The Court finds probable cause exists and case is bound over to Grand Jury for further

		proceedings. Cause called for detention hearing. Govt relies on Affidavit and Pretrial Services Report. Evidence for dft heard. Witness sworn; testimony heard. Argument heard by Govt and dft's counsel. The Court finds dft be detained pending trial. Written order of detention to be entered. Dft is remanded to the custody of the US Marshal. (cc: USPO/USMS) (Tape #C221/153-3637.) (KM, ilcd)[2:04-mj-07235-DGB] Modified on 9/3/2004 (VB, ilcd). (Entered: 08/30/2004)
08/30/2004	<u>5</u>	NOTICE OF ATTORNEY APPEARANCE: Baku Patel appearing for William D Dickerson (KM, ilcd)[2:04-mj-07235-DGB] (Entered: 08/30/2004)
09/01/2004	<u>6</u>	INDICTMENT as to William D Dickerson (1) count(s) 1, 2. (SKD, ilcd) (Entered: 09/03/2004)
09/03/2004		Terminate Deadlines and Hearings as to William D Dickerson. Pursuant to minutes entered 8/30/04, detention hearing held. (SKD, ilcd) (Entered: 09/03/2004)
09/03/2004		NOTICE OF HEARING as to William D Dickerson Arraignment set for 9/10/2004 at 10:00 AM in Courtroom C before Magistrate Judge David G. Bernthal. (SKD, ilcd) (Entered: 09/03/2004)
09/07/2004	<u>7</u>	ARREST Warrant Returned Executed on 8/24/04 as to William D Dickerson. (SKD, ilcd) (Entered: 09/08/2004)
09/08/2004		Per Atty Patel's request, the Arraignment scheduled for 9/10/04 at 10:00 a.m. is RESET to 1:30 PM in Courtroom C before Magistrate Judge David G. Bernthal. (SKD, ilcd) (Entered: 09/08/2004)
09/08/2004	<u>8</u>	ORDER OF DETENTION PENDING TRIAL as to William D Dickerson. Entered by Judge David G. Bernthal on 9/8/04. (SKD, ilcd) (Entered: 09/08/2004)
09/10/2004		Minute Entry for proceedings held before Judge David G. Bernthal. Appearance of Eugene Miller, AUSA for Government. Appearance of WILLIAM D. DICKERSON in person and with counsel Baku Patel. Arraignment held on 9/10/2004. Dft sworn, advised of charges and penalties. Dft PLEADS NOT GUILTY to Indictment. Scheduling order will be filed electronically. Dft remanded to the custody of the USM. (Tape #C224; 72-421.) (SKD, ilcd) (Entered: 09/10/2004)
09/10/2004	<u>9</u>	SCHEDULING ORDER as to William D Dickerson entered by Judge David G. Bernthal on 9/10/04. This matter is set for Pretrial Conference on 10/22/2004 at 2:30 PM; Jury selection and Jury Trial set on 11/8/2004 at 9:00 AM in Courtroom A before Judge Michael P. McCuskey. (SKD, ilcd) (Entered: 09/10/2004)
09/27/2004		NOTICE OF HEARING: Due to a conflict in the Court's calendar, the pretrial conference as to William D Dickerson set for 10/22/2004 at 2:30 PM is RESET to 10/29/2004 at 1:30 PM in Courtroom A before Judge Michael P. McCuskey. (MB, ilcd) (Entered: 09/27/2004)
10/14/2004	<u>10</u>	NOTICE <i>Information Concerning Prior Convictions</i> by USA as to William D Dickerson (Miller, Eugene) (Entered: 10/14/2004)

10/14/2004		TEXT ORDER entered by Judge Michael P. McCuskey. On 10/14/2004, the Government incorrectly filed an Information Concerning Prior Convictions <u>10</u> as a notice. The Government is advised that future filings of this type should be filed under "Other Documents" and "Information to Establish Prior Conviction." (MB,ilcd) (Entered: 10/14/2004)
10/29/2004		ORAL MOTION at hearing held 10/29/04 to vacate jury trial set for 11/8/04 and set it for status by William D Dickerson. (KM, ilcd) (Entered: 10/29/2004)
10/29/2004		Minute Entry for proceedings held 10/29/04 before Judge Michael P. McCuskey. Appearance for Govt by AUSA Eugene Miller. Dft WILLIAM D DICKERSON present in person and with counsel Baku Patel. Defendant orally moved to vacate jury trial set for 11/8/04 and set for status. Motion granted. Status set for 11/16/04 at 1:15 PM at hearing, but due to Attorney Patel's request after the hearing, status has been RESET to 11/16/04 at 9:30 AM by personal appearance before Judge McCuskey in Courtroom A. The Court finds by granting the continuance the ends of justice are met pursuant to 18 USC 3161(h)(8)(A). The time from 10/29/04 to 11/16/04 is excluded. Defendant is remanded to the custody of the US Marshal. (Court Reporter LC.) (KM, ilcd) (Entered: 10/29/2004)
11/16/2004		Minute Entry for proceedings held before Judge Michael P. McCuskey on 11/16/04. Appearance of Eugene Miller, AUSA for Government. Appearance of WILLIAM D. DICKERSON in person and with counsel Baku Patel. Status Conference held. Status Conference set for 3/4/2005 at 9:15 AM in Courtroom A before Judge Michael P. McCuskey. (Court Reporter LC.) (SKD, ilcd) (Entered: 11/16/2004)
11/16/2004	<u>11</u>	+++ SEALED DOCUMENT. (SKD, ilcd) Modified on 4/27/2005: PLEA AGREEMENT unsealed at sentencing hearing (KM, ilcd). (Entered: 11/16/2004)
11/16/2004	<u>12</u>	+++ SEALED DOCUMENT. (SKD, ilcd) Modified on 4/27/2005: APPEARANCE BOND unsealed at sentencing hearing (KM, ilcd). (Entered: 11/16/2004)
11/16/2004	<u>13</u>	+++ SEALED DOCUMENT. (SKD, ilcd) Modified on 4/27/2005: ORDER SETTING CONDITIONS OF RELEASE unsealed at sentencing hearing (KM, ilcd). (Entered: 11/16/2004)
11/16/2004	<u>14</u>	+++ SEALED DOCUMENT. (SKD, ilcd) Modified on 4/27/2005: ORDER ON IMPLEMENTATION OF SENTENCING GUIDELINES unsealed at sentencing hearing (KM, ilcd). (Entered: 11/16/2004)
11/19/2004	<u>15</u>	NOTICE of Change of Address by defendant William D. Dickerson (SKD, ilcd) Modified on 3/4/2005 to add "Notice <u>15</u> sealed and stored in vault" (KM, ilcd). Modified on 4/27/2005: NOTICE unsealed at sentencing hearing (KM, ilcd). Additional attachment(s) added on 4/27/2005 (KM, ilcd). (Entered: 11/19/2004)
11/22/2004		Remark: Document #15 has no attachment (SKD, ilcd) (Entered: 11/22/2004)
02/28/2005	<u>16</u>	MOTION to Continue by William D Dickerson. (Patel, Baku) (Entered: 02/28/2005)

03/02/2005		NOTICE OF HEARING: A hearing on the <u>16</u> MOTION to Continue as to William D Dickerson is set for 3/4/2005 at 9:15 AM in Courtroom A before Chief Judge Michael P. McCuskey. (MB, ilcd) (Entered: 03/02/2005)
03/03/2005		Minute Entry for proceedings held 3/3/05 before Judge Michael P. McCuskey. Appearance of Eugene Miller, AUSA for Government. Appearance of WILLIAM D. DICKERSON by phone and with counsel Baku Patel in person. Hearing held re: <u>16</u> Motion to Continue by William D Dickerson (1); no objection by Government. Motion granted. Status Conference set for 4/28/2005 at 1:30 PM in Courtroom A before Chief Judge Michael P. McCuskey. Motion hearing set 3/4/05 is vacated.(Court Reporter LC.) (SKD, ilcd) (Entered: 03/04/2005)
03/10/2005		NOTICE OF HEARING: Due to a conflict in the Court's calendar, the sentencing hearing as to William D Dickerson set for 4/28/05 at 1:30 PM is RESET to 4/26/2005 at 1:30 PM in Courtroom A before Chief Judge Michael P. McCuskey. (MB, ilcd) (Entered: 03/10/2005)
04/26/2005		Minute Entry for proceedings held 4/26/05 before Judge Michael P. McCuskey. Appearance for Government by AUSA Eugene Miller. Defendant WILLIAM DICKERSON present in person and with counsel Baku Patel. Sentencing held for William D Dickerson (1) as to Counts 1 and 2. Parties previously acknowledged receipt of presentence investigation report; no objections noted. Courtroom cleared during in camera hearing. Recommendations by counsel. It is the judgment of the Court that the defendant is hereby committed to the custody of the Bureau of Prisons for a term of 240 months. Said term shall consist of 240 months on each of Counts 1 and 2, to be served concurrently. Upon release from imprisonment, the defendant shall be placed on supervised release for a term of ten years and under special conditions. This term shall consist of ten years on each of Counts 1 and 2, to be served concurrently. The defendant shall pay \$200 special assessment. Appeal rights previously waived by defendant. Court unseals documents 11-15. Defendant is remanded to the custody of the US Marshal. (Court Reporter LC.) (KM, ilcd) (Entered: 04/27/2005)
04/26/2005	<u>17</u>	+++ PRESENTENCE INVESTIGATION REPORT as to William D Dickerson (KM, ilcd). Modified on 1/24/2008 to attach document (KM, ilcd). (Entered: 04/27/2005)
04/26/2005	<u>18</u>	+++ SENTENCING RECOMMENDATION as to William D Dickerson. (KM, ilcd). Modified on 1/24/2008 to attach document (KM, ilcd). (Entered: 04/27/2005)
04/28/2005	<u>19</u>	+++ STATEMENT OF REASONS FOR IMPOSING SENTENCE as to William D Dickerson (SKD, ilcd) (Entered: 04/28/2005)
04/28/2005	<u>20</u>	JUDGMENT as to William D Dickerson (1). Entered by Judge Michael P. McCuskey on 4/28/05. (SKD, ilcd) (Entered: 04/28/2005)
06/22/2005	<u>21</u>	Judgment Returned Executed as to William D Dickerson at FCI Greenville, IL on 6/17/05. (KM, ilcd) (Entered: 06/22/2005)
10/13/2005	<u>22</u>	Letter from William D Dickerson requesting copies from this case. (VB, ilcd) (Entered: 10/13/2005)

10/13/2005	<u>23</u>	Letter from Clerk to William D Dickerson regarding costs of copies. (VB, ilcd) (Entered: 10/13/2005)
10/24/2005	<u>24</u>	Letter from defendant Dickerson dated October 20, 2005, requesting copies (SKD, ilcd) (Entered: 10/24/2005)
10/24/2005	<u>25</u>	Letter from the Clerk in response to defendant's copy request (#24) dated 10/20/05 (SKD, ilcd) (Entered: 10/24/2005)
11/28/2005	<u>26</u>	Letter from defendant Dickerson dated 11/21/05 requesting copies (SKD, ilcd) (Entered: 11/28/2005)
11/28/2005	<u>27</u>	Letter from the Clerk in response to defendant's 11/21/05 copy request (SKD, ilcd) (Entered: 11/28/2005)
12/09/2005	<u>28</u>	Letter from defendant dated 12/5/05 requesting copies. (SKD, ilcd) (Entered: 12/09/2005)
01/03/2006	<u>29</u>	Letter from defendant Dickerson dated 12/28/05 re: copies. (SKD, ilcd) (Entered: 01/03/2006)
03/06/2006	<u>30</u>	Letter from dft Dickerson dated 3/3/06 re: copies. (SKD, ilcd) (Entered: 03/06/2006)
03/06/2006	<u>31</u>	Letter from the Clerk in response to defendant's copy request (#30). (SKD, ilcd) (Entered: 03/06/2006)
03/06/2006	<u>32</u>	USCA Case Number as to William D Dickerson 06-1591 re: Petition for Writ of Mandamus (SKD, ilcd) (Entered: 03/06/2006)
03/13/2006	<u>33</u>	TRANSCRIPT of Proceedings as to William D Dickerson held re: Change of Plea Hearing on 11/16/04 and Sentencing Hearing on 4/26/05 before Judge Michael P. McCuskey. Court Reporter: LC. (SKD, ilcd) (Additional attachment(s) added on 10/7/2020: # <u>1</u> Sentencing Transcript) (KM, ilcd). (Entered: 03/13/2006)
03/20/2006	<u>34</u>	Remark: USCA Order re: Petition for Writ of Mandamus. It is ORDERED that the petition for a writ of mandamus is DENIED. Further, the motion for leave to proceed on appeal in forma pauperis and the motion for appointment of counsel are DENIED as moot. SEE ORDER. (SKD, ilcd) (Entered: 03/20/2006)
04/13/2006	<u>35</u>	NOTICE OF APPEAL by William D Dickerson re <u>20</u> Judgment. (SKD, ilcd) (Entered: 04/13/2006)
04/13/2006	<u>36</u>	MOTION and Affidavit in Support of Leave to Appeal In Forma Pauperis by William D Dickerson. (SKD, ilcd) (Entered: 04/13/2006)
04/13/2006	<u>37</u>	MOTION to Appoint Counsel by William D Dickerson. (SKD, ilcd) (Entered: 04/13/2006)
04/13/2006	<u>38</u>	Short Record of Appeal as to William D Dickerson sent to US Court of Appeals re <u>35</u> Notice of Appeal - Final Judgment (SKD, ilcd) (Entered: 04/13/2006)
04/17/2006	<u>39</u>	USCA Case Number as to William D Dickerson 06-2042 for <u>35</u> Notice of Appeal - Final Judgment filed by William D Dickerson. (SKD, ilcd) (Entered: 04/17/2006)

04/19/2006		TEXT ORDER granting <u>36</u> Motion for Leave to Appeal In Forma Pauperis as to William D Dickerson (1); denying <u>37</u> Motion to Appoint Counsel as to William D Dickerson (1). Entered by Judge Michael P. McCuskey on 04/19/2006. (DK2, ilcd) (Entered: 04/19/2006)
04/19/2006		Remark: Text order dated 4/19/06 regarding pro se motions #36 and #37 mailed to defendant Dickerson and also uploaded to USCA 06-2042. (KM, ilcd) (Entered: 04/19/2006)
06/23/2006	<u>40</u>	MANDATE of USCA (certified copy) as to William D Dickerson re <u>35</u> Notice of Appeal - Final Judgment. It is Ordered that this appeal is DISMISSED for failure to comply with Circuit Rule 3(c). See Mandate. (SKD, ilcd) (Entered: 06/23/2006)
09/01/2006	<u>41</u>	NOTICE OF APPEAL by William D Dickerson, pro se re <u>20</u> Judgment (SKD, ilcd) (Entered: 09/01/2006)
09/01/2006	<u>42</u>	Short Record of Appeal as to William D Dickerson sent to US Court of Appeals re <u>41</u> Notice of Appeal - Final Judgment (SKD, ilcd) Modified on 9/1/2006 to correct attachment (SKD, ilcd). (Entered: 09/01/2006)
09/01/2006		Notice of Docket Text or Event Modification re <u>42</u> Short Record of Appeal Sent to USCA: modified to correct attachment (SKD, ilcd) (Entered: 09/01/2006)
09/07/2006	<u>43</u>	USCA Case Number 06-3370 assigned as to William D Dickerson for <u>41</u> Notice of Appeal - Final Judgment filed by William D Dickerson, pro se. (SKD, ilcd) (Entered: 09/07/2006)
09/11/2006	<u>44</u>	Letter from defendant Dickerson requesting transcripts. (SKD, ilcd) (Entered: 09/11/2006)
09/11/2006	<u>45</u>	JURISDICTIONAL STATEMENT by William D Dickerson re <u>41</u> Notice of Appeal - Final Judgment. (SKD, ilcd) (Entered: 09/11/2006)
10/02/2006	<u>46</u>	NOTICE of Change of Address filed by Defendant Dickerson (SKD, ilcd) (Entered: 10/02/2006)
12/11/2006	<u>47</u>	MANDATE of USCA (certified copy) as to William D Dickerson re <u>41</u> Notice of Appeal - Final Judgment. It is ORDERED that this appeal is DISMISSED for lack of jurisdiction. It is further ORDERED that attorney Baku Patel's motion to withdraw filed on 10/17/06 is GRANTED. See Mandate. (SKD, ilcd) (Entered: 12/11/2006)
05/31/2007	<u>48</u>	NOTICE OF APPEAL by William D Dickerson re <u>20</u> Judgment (SKD, ilcd) (Entered: 05/31/2007)
05/31/2007	<u>49</u>	Short Record of Appeal as to William D Dickerson sent to US Court of Appeals re <u>48</u> Notice of Appeal - Final Judgment (SKD, ilcd) Additional attachment(s) added on 5/31/2007 (SKD, ilcd). (Entered: 05/31/2007)
06/01/2007	<u>50</u>	USCA Case Number 07-2259 as to William D Dickerson for <u>48</u> Notice of Appeal - Final Judgment. (SP, ilcd) (Entered: 06/01/2007)

07/27/2007	<u>51</u>	ORDER of USCA as to William D Dickerson re <u>48</u> Notice of Appeal - Final Judgment. Pro se appellant erroneously filed his motion for leave to appeal in forma pauperis with the Seventh Circuit Court of Appeals. The motion is transferred to the district court for ruling. See written order. (SP, ilcd) (Entered: 07/27/2007)
07/27/2007	<u>52</u>	MOTION for Leave to Appeal In Forma Pauperis (Affidavit) by William D Dickerson. (SP, ilcd) (Entered: 07/27/2007)
07/30/2007		TEXT ORDER entered by Chief Judge Michael P. McCuskey on 07/30/2007. On May 31, 2007, Defendant, William D Dickerson (1), filed a Notice of Appeal <u>48</u> . On July 27, 2007, he filed a Motion for Leave to Appeal In Forma Pauperis <u>52</u> . This is the third untimely Notice of Appeal Defendant has filed in an attempt to appeal a judgment <u>20</u> entered April 28, 2005. In addition, Defendant pled guilty to the charges against him pursuant to a written plea agreement <u>11</u> which included a waiver of appeal rights. Because this court concludes there is no basis for this appeal, Defendant's Motion for Leave to Appeal in Forma Pauperis <u>52</u> is DENIED.. (DK2, ilcd) (Entered: 07/30/2007)
08/22/2007	<u>53</u>	MANDATE of USCA (certified copy) as to William D Dickerson re <u>48</u> Notice of Appeal - Final Judgment. The appeal is DISMISSED for lack of jurisdiction. See written Order. (KM, ilcd) (Entered: 08/23/2007)
10/01/2007		Remark: A motion to vacate/set aside/correct sentence (2255) has been filed. See number 07-2178. (KW, ilcd) (Entered: 10/01/2007)
10/19/2007	<u>54</u>	PRO SE MOTION for Verbatim Transcripts and Original Sound Tapes at Petitioner's Expense Pursuant to 18 U.S.C. Section 753 by William D Dickerson. (SP, ilcd) (Entered: 10/19/2007)
10/24/2007	<u>55</u>	MOTION to Withdraw Document <u>33</u> Transcript by USA as to William D Dickerson. (Miller, Eugene) (Entered: 10/24/2007)
10/25/2007		TEXT ORDER granting <u>55</u> Motion to Withdraw Document 33 Transcript as to William D Dickerson (1) Entered by Chief Judge Michael P. McCuskey on 10/25/07. (SKD, ilcd) (Entered: 10/25/2007)
10/25/2007	<u>56</u>	Receipt for transcript (#33) by USA as to William D Dickerson. (SKD, ilcd) (Entered: 10/25/2007)
10/26/2007		Remark: Received from USA #33 Transcript as to William Dickerson. (SP, ilcd) (Entered: 10/26/2007)
02/19/2008		TEXT ORDER entered by Chief Judge Michael P. McCuskey on 02/19/2008. Because Defendant William D. Dickerson's Motion under sec. 2255 has been dismissed in Case No. 07-2178, this court finds MOOT his Motion for verbatim transcripts and original sound tapes <u>54</u> . (DK2, ilcd) (Entered: 02/19/2008)
07/14/2009	<u>57</u>	PRO SE MOTION for Nunc Pro Tunc Order by William D Dickerson. (Attachments: # <u>1</u> page from transcript)(SKD, ilcd) (Entered: 07/14/2009)

07/14/2009		TEXT ORDER denying <u>57</u> pro se Motion for nunc pro tunc order as to William D Dickerson (1). Defendant is not entitled to any of the relief requested. Entered by Chief Judge Michael P. McCuskey on 07/14/2009. (DK2, ilcd) (Entered: 07/14/2009)
07/22/2009	<u>58</u>	NOTICE OF APPEAL by William D Dickerson re 7/14/09 Text Order denying #57 Motion for Nunc Pro Tunc Order (SKD, ilcd) (Entered: 07/22/2009)
07/23/2009	<u>59</u>	Short Record of Appeal as to William D Dickerson sent to US Court of Appeals re <u>58</u> Notice of Appeal on 7/14/09 Text Order denying #57 Motion for Nunc Pro Tunc Order (SKD, ilcd) (Entered: 07/23/2009)
07/23/2009	<u>60</u>	USCA Case Number as to William D Dickerson is 09-2857 as to <u>58</u> Notice of Appeal re 7/14/09 Text Order denying #57 Motion for Nunc Pro Tunc Order. (SKD, ilcd) (Entered: 07/23/2009)
07/30/2009	<u>61</u>	PRO SE MOTION for Leave to Appeal In Forma Pauperis by William D Dickerson. (KM, ilcd) (Entered: 07/31/2009)
07/30/2009	<u>62</u>	PRO SE MOTION for Retroactive Application of Sentencing Guidelines to Crack Cocaine Offense 18 USC 3582 filed by William D Dickerson. (KM, ilcd) (Entered: 07/31/2009)
07/31/2009		TEXT ORDER as to William D Dickerson entered by Chief Judge Michael P. McCuskey on 7/31/09. The Court has received your request for a reduction in your sentence pursuant to the U.S. Sentencing Commission's 2007 Crack Cocaine Guideline Amendment. The Federal Defender for the Central District of Illinois is hereby appointed to represent defendant William Dickerson in all further proceedings in this matter. (Copy mailed to defendant.) (KM, ilcd) (Entered: 07/31/2009)
07/31/2009		TEXT ORDER granting <u>61</u> Motion for Leave to Appeal In Forma Pauperis as to William D Dickerson (1). Entered by Chief Judge Michael P. McCuskey on 07/31/2009. (DK2, ilcd) (Entered: 07/31/2009)
08/03/2009	<u>63</u>	MOTION to Withdraw as Attorney by Jonathan E. Hawley. by William D Dickerson. (Hawley, Jonathan) (Entered: 08/03/2009)
08/03/2009	<u>64</u>	ORDER Entered by Chief Judge Michael P. McCuskey on 8/3/09 granting <u>63</u> Motion to Withdraw as Attorney as to William D Dickerson (1). It is hereby ORDERED that the defendant is allowed to pursue this matter pro se and shall file his response with this Court no later than 30 days of the date of this Order. See Written Order. (Copy of #63 Motion and order of 8/3/09 mailed to defendant.) (SKD, ilcd) (Entered: 08/03/2009)
08/26/2009	<u>65</u>	NOTICE of Change of Address by William D. Dickerson, #14280-026, to Greenville Federal Correctional Institution, P O Box 5000, Greenville, IL 62246 (SKD, ilcd) Modified on 9/2/2009 to add where defendant as moved to (VB, ilcd). (Entered: 08/26/2009)

08/26/2009	<u>66</u>	PRO SE MOTION to Withdraw Document <u>62</u> MOTION for Retroactive Application of Sentencing Guidelines to Crack Cocaine Offense 18 USC 3582 for William D Dickerson (1) re Count 1,2 filed by William D Dickerson. (SKD, ilcd) (Entered: 08/26/2009)
08/27/2009	<u>67</u>	ORDER entered by Chief Judge Michael P. McCuskey on 8/27/2009. Defendant's pro se MOTION to Withdraw Request for Reduction in Sentence Pursuant to Section 3582(c)(2) <u>66</u> is GRANTED. Defendant's pro se Motion to Reduce Sentence based upon the retroactive amendment to the sentencing guideline range regarding crack cocaine sentencing <u>62</u> is hereby withdrawn. See written order. (copy mailed to William D Dickerson) (SP, ilcd) (Entered: 08/27/2009)
09/02/2009		Mail Returned as Return to Sender, Refused, Unable to Forward, re <u>67</u> Order, as to William D Dickerson. Mail was sent to William D Dickerson, #14280-026, at FCI Pekin, P O Box 5000, Pekin, IL 61555. (VB, ilcd) (Entered: 09/02/2009)
09/02/2009		Notice of Docket Text or Event Modification re <u>65</u> Notice of Change of Address. The Clerk added to <u>65</u> Notice of Change of Address where defendant William D Dickerson was moved to, which is Greenville Federal Correctional Institution, P O Box 5000, Greenville, IL 62246. (VB, ilcd) (Entered: 09/02/2009)
09/02/2009		Remark: Clerk re-mailed <u>67</u> Order entered 8/27/09 by Chief Judge Michael P McCuskey, to defendant William D Dickerson, #14280-026, at Greenville Federal Correctional Institution, P O Box 5000, Greenville, IL 62246. (VB, ilcd) (Entered: 09/02/2009)
12/15/2009	<u>68</u>	MANDATE of USCA (certified copy) as to William D Dickerson re <u>58</u> Notice of Appeal. IT IS ORDERED that the request for a certificate of appealability is DENIED. SEE MANDATE. (SKD, ilcd) (Entered: 12/15/2009)
12/13/2011	<u>69</u>	Letter from William Dickerson requesting copies. (Copy of Document <u>10</u> mailed to William Dickerson, #14280-026, U.S. Penitentiary, PO Box 1000, Lewisburg, PA 17837) (DE, ilcd) (Entered: 12/13/2011)
06/10/2013	<u>70</u>	MOTION to Reduce Sentence under the Fair Sentencing Act by William D Dickerson. (KMR, ilcd) (Entered: 06/10/2013)
06/11/2013		TEXT ORDER denying <u>70</u> Motion to Reduce Sentence as to William D Dickerson (1). This court has construed the letter sent by Defendant Dickerson as a motion to reduce his sentence under the Fair Sentencing Act based on the Sixth Circuit's decision in Blewett. This court must follow Seventh Circuit precedent which holds that the Fair Sentencing Act of 2010 applies only to defendants who were sentenced after August 3, 2010, the effective date of the Act. United States v. Foster, 706 F.3d 887, 888 (7th Cir. 2013); United States v. Robinson, 697 F.3d 443, 444-45 (7th Cir. 2012). Therefore, the decision in United States v. Blewett, ___ F.3d ___, 2013 WL 2121945 (6th Cir. 2013) does not apply to Defendant's case. Entered by Judge Michael P. McCuskey on 6/11/2013. (DK2, ilcd) (Entered: 06/11/2013)
08/01/2013	<u>71</u>	Letter from William Dickerson request copies. (TC, ilcd) (Entered: 08/01/2013)
04/15/2014	<u>72</u>	Letter to the Court from Defendant. (DS, ilcd) (Entered: 04/15/2014)

11/14/2016	<u>73</u>	MOTION to Modify Conditions of Release Pursuant to 18 USC 3583 and Federal Rule of Criminal Procedure 32 by William D Dickerson. (Attachments: # <u>1</u> Exhibit - Judgment, # <u>2</u> Envelope) (KM, ilcd) (Entered: 11/15/2016)
11/16/2016		Text ORDER denying <u>73</u> Motion to Modify Conditions of Release as to William D Dickerson (1). Defendant has filed a Motion to Modify Conditions of Supervised Release. His record at the Bureau of Prisons shows a release date of 4/14/2025. Mr. Dickerson's request is denied with leave to review his request at a time closer to his release date. Entered by Chief Judge James E. Shadid on 11/16/2016. (CG, ilcd) (Entered: 11/16/2016)
12/01/2016	<u>74</u>	NOTICE OF APPEAL of Conditions of Release by William D Dickerson as to Order on Motion to Modify Conditions of Release. (Attachments: # <u>1</u> Envelope)(DS, ilcd) (Entered: 12/01/2016)
12/01/2016	<u>75</u>	Short Record of Appeal as to William D Dickerson sent to US Court of Appeals re <u>74</u> Notice of Appeal - Conditions of Release. (DS, ilcd) (Entered: 12/01/2016)
12/02/2016	<u>76</u>	NOTICE of Docketing Record on Appeal from USCA as to William D Dickerson re <u>74</u> Notice of Appeal - Conditions of Release filed by William D Dickerson. USCA Case Number 16-4055. (DS, ilcd) (Entered: 12/02/2016)
12/02/2016	<u>77</u>	CIRCUIT RULE 3(b) NOTICE of USCA (certified copy) as to William D Dickerson re <u>74</u> Notice of Appeal - Conditions of Release. (DS, ilcd) (Entered: 12/02/2016)
12/02/2016		TEXT ORDER entered on 12/2/16 as to William D Dickerson: At direction of Chief Judge James E. Shadid, this case is reassigned to Chief Judge Shadid and Magistrate Judge Jonathan E. Hawley. (KM, ilcd) (Entered: 12/02/2016)
01/05/2017	<u>78</u>	MOTION for Leave to Appeal In Forma Pauperis by William D Dickerson. (DS, ilcd) (Entered: 01/05/2017)
01/05/2017	<u>79</u>	+++ SEALED DOCUMENT TRUST FUND LEDGER. (DS, ilcd) (Entered: 01/05/2017)
01/06/2017	<u>80</u>	CIRCUIT RULE 3(b) NOTICE of USCA as to William D Dickerson re <u>74</u> Notice of Appeal regarding filing fee. (KM, ilcd) (Entered: 01/06/2017)
01/09/2017		Text ORDER denying <u>78</u> Motion for Leave to Appeal In Forma Pauperis as to William D Dickerson (1). The court previously denied the Defendant's request to modify conditions of supervised release on November 16, 2016, with leave to review his request closer to the date of his release, as the Defendant will not be released until April 14, 2025. On December 1, 2016, Defendant filed a Notice of Appeal, appealing that denial. On January 5, 2017, Defendant filed an Motion for Leave to Appeal In Forma Pauperis. Because the Court concludes there is no basis for this appeal, the Defendant's Motion <u>78</u> is denied. Entered by Chief Judge James E. Shadid on 1/9/2017. (CG, ilcd) Modified on 1/9/2017 to correct clerical errors(JRK, ilcd). (Entered: 01/09/2017)
01/10/2017	<u>81</u>	CIRCUIT RULE 3(b) FEE NOTICE of USCA (certified copy) as to William D Dickerson re <u>74</u> Notice of Appeal - Conditions of Release. (DS, ilcd) (Entered: 01/10/2017)

01/17/2017	<u>82</u>	DOCKETING STATEMENT by William D Dickerson. (RK, ilcd) (Entered: 01/17/2017)
02/24/2017	<u>83</u>	Request from USCA for Long Record re <u>74</u> Notice of Appeal - Conditions of Release. (RK, ilcd) (Entered: 02/24/2017)
02/24/2017	<u>84</u>	Certified and Transmitted Record on Appeal as to William D Dickerson to US Court of Appeals re <u>74</u> Notice of Appeal - Conditions of Release (RK, ilcd) (Entered: 02/24/2017)
02/24/2017	<u>85</u>	Letter of Transmittal sent to USCA regarding USCA 16-4055 consisting of one volume of pleadings. (RK, ilcd) (Main Document 85 replaced on 2/28/2017) (TK, ilcd). (Entered: 02/24/2017)
04/04/2017	<u>86</u>	MANDATE of USCA (certified copy) as to William D Dickerson. It is Ordered that the motion to proceed in forma pauperis is DENIED, and the final order of the district court is summarily AFFIRMED.(RK, ilcd) (Entered: 04/04/2017)
12/31/2018	<u>87</u>	MOTION to Reduce Sentence by William D Dickerson. (Attachments: # <u>1</u> envelope)(RK, ilcd) Modified on 1/11/2019 (MC, ilcd). (Entered: 01/02/2019)
01/02/2019		TEXT ORDER: The court has received a Motion regarding the First Step Act. The Court is in the process of establishing procedures for addressing these motions. It is expected that a process will be established within the next 21 days. No action will be taken on said motion until the process is in place. Entered by Chief Judge James E. Shadid on 12/31/2018. (RK, ilcd) (Entered: 01/02/2019)
01/11/2019		TEXT ORDER REASSIGNING CASE. Pursuant to Administrative Order 19-mc-1001 entered 1/10/2019, case reassigned to Judge Sara Darrow for all further proceedings. Entered by Chief Judge James E. Shadid on 1/11/2019. (MC, ilcd) (Entered: 01/11/2019)
01/11/2019		TEXT ORDER: The court has received your request for a reconsideration of your sentence. Attorney Thomas Patton of the office of the Federal Public Defender for the Central District of Illinois has been appointed to represent defendant in all further proceedings in this matter. AUSA Patrick Hansen is the Assistant United States Attorney assigned to this matter. (Copy of text order and Administrative Order 19-mc-1001 dated 1/10/2019 mailed to defendant.) Entered by Judge Sara Darrow on 1/11/2019. (MC, ilcd) (Entered: 01/11/2019)
08/26/2019	<u>88</u>	SECOND MOTION for Resentencing Pursuant to the First Step Act of 2018 by USA as to William D Dickerson. (Attachments: # <u>1</u> exhibits part 1, # <u>2</u> exhibits part 2)(ED, ilcd) (Entered: 08/27/2019)
09/03/2019	<u>89</u>	Letters from Family in support of Defendant. (RL, ilcd) (Entered: 09/03/2019)
09/09/2019	<u>90</u>	MOTION To Supplement <u>88</u> MOTION to Reduce Sentence by William D Dickerson. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Envelope)(KB, ilcd) (Entered: 09/09/2019)
09/20/2019	<u>91</u>	Letter from Shayla Dickerson in support of Defendant. (RL, ilcd) (Entered: 09/20/2019)

11/18/2019	<u>92</u>	MOTION for Judicial Notice of Administrative Order No. 19-mc-1001 and Removal of Federal Public Defender by William D Dickerson. (Attachments: # <u>1</u> exhibit, # <u>2</u> envelope)(ED, ilcd) (Entered: 11/19/2019)
11/19/2019	<u>93</u>	NOTICE of Change of Address. Defendnat is at Yazoo City Federal Correctional Institution, Low Security, PO Box 5888, Yazoo City, MS 39194. (ED, ilcd) (Entered: 11/19/2019)
02/19/2020	<u>94</u>	NOTICE OF ATTORNEY APPEARANCE: Rosana E Brown appearing for William D Dickerson (Brown, Rosana) (Entered: 02/19/2020)
04/01/2020		TEXT ORDER Entered by Chief Judge Sara Darrow on 4/1/2020 as to William D Dickerson. Defense counsel to file a status report or other appropriate motion by 4/15/20 re <u>87</u> MOTION to Reduce Sentence - First Step Act Amendment, <u>88</u> MOTION Reduce sentence, <u>90</u> MOTION To Supplement, and <u>92</u> MOTION.(ED, ilcd) (Entered: 04/01/2020)
04/07/2020	<u>95</u>	MOTION to Withdraw as Attorney by Thomas W. Patton. by William D Dickerson. (Patton, Thomas) (Entered: 04/07/2020)
04/07/2020	<u>96</u>	MOTION to Withdraw as Attorney by Rosana E. Brown. by William D Dickerson. (Brown, Rosana) (Entered: 04/07/2020)
04/16/2020		TEXT ORDER Entered by Chief Judge Sara Darrow on 4/16/20 as to William D Dickerson (1). Defendants motion for reduction of his sentence under section 404 of the First Step Act (#88) is DENIED, and #87, 90, 92 are MOOT. Although the Defendant was convicted of a crack cocaine offense committed before August 3, 2010, he was also convicted of a powder cocaine offense, the penalty for which was not modified by the First Step Act and his sentence reflects the statutory mandatory minimum sentence for powder cocaine. Therefore the Defendant is not entitled to a reduction in his term of imprisonment. #95, 96 Motions to Withdraw are GRANTED. (ED, ilcd) (Entered: 04/16/2020)
04/21/2020	<u>97</u>	MOTION to Cite Additional Authority and to Take Judicial Notice by William D Dickerson. (Attachments: # <u>1</u> envelope)(ED, ilcd) (Entered: 04/21/2020)
04/22/2020		TEXT ORDER Entered by Chief Judge Sara Darrow on 4/22/20 as to William D Dickerson (1). The Court construes Defendants pro se motion #97 as a motion to reconsider its denial of his #88 motion for a reduction of his sentence under § 404 of the First Step Act. The Court previously denied the motion for the reasons stated in its Text Order on 4/16/20. In addition to the reasons previously stated, the Court supplements its ruling as follows: pursuant to 18 U.S.C. § 3582(c) (1)(B), after full review of the record, consideration of all applicable sentencing factors, and exercising its discretion, the Court declines to reduce the defendant's term of incarceration. Accordingly, #97 is denied (ED, ilcd) (Entered: 04/22/2020)
05/04/2020	<u>98</u>	Letter from Defendant Dickerson requesting copies. (ED, ilcd) Modified on 5/5/2020 to reflect 5/4/20 filing date (ED, ilcd). (Entered: 05/05/2020)
05/04/2020	<u>99</u>	NOTICE OF APPEAL by William D Dickerson re 4/22/20 text order. (Attachments: # <u>1</u> envelope)(ED, ilcd) (Entered: 05/05/2020)

05/05/2020		TEXT ORDER Entered by Chief Judge Sara Darrow on 5/5/20 as to William D Dickerson. The Defendant has requested documents associated with this case. The Defendant had access to all pleadings and documents during the pendency of this case. If the Defendant wants copies, the Defendant may seek them from former Defense counsel.(ED, ilcd) (Entered: 05/05/2020)
05/05/2020	<u>100</u>	Short Record of Appeal as to William D Dickerson sent to US Court of Appeals re <u>99</u> Notice of Appeal. (ED, ilcd) (Entered: 05/05/2020)
05/06/2020	<u>101</u>	NOTICE of Docketing Record on Appeal from USCA as to William D Dickerson USCA Case Number 20-1751. (ED, ilcd) (Entered: 05/06/2020)
05/06/2020	<u>102</u>	CIRCUIT RULE 3(b) NOTICE as to William D Dickerson. See written Order. (ED, ilcd) (Entered: 05/06/2020)
05/18/2020	<u>103</u>	MOTION for Leave to Appeal In Forma Pauperis by William D Dickerson. (ED, ilcd) (Entered: 05/19/2020)
05/29/2020		TEXT ORDER Entered by Chief Judge Sara Darrow on 5/29/20 as to William D Dickerson (1). The <u>103</u> Motion for Leave to Appeal In Forma Pauperis is moot as this should have been filed with the Court of Appeals as directed in the Circuit Rule 3(b) Order. The Clerk is directed to forward a copy of <u>103</u> Motion to the Court of Appeals.(ED, ilcd) (Entered: 05/29/2020)
06/29/2020	<u>104</u>	ORDER of USCA. See written Order. IT IS ORDERED that the appellants motion to proceed in forma pauperis on appeal is GRANTED. IT IS FURTHER ORDERED that the motion for recruitment of counsel is DENIED (ED, ilcd) (Entered: 06/29/2020)
07/07/2020	<u>105</u>	DESIGNATION OF RECORD ON APPEAL by William D Dickerson re <u>99</u> Notice of Appeal - Final Judgment (KB, ilcd) (Entered: 07/07/2020)
08/19/2020	<u>106</u>	ORDER of USCA (certified copy) as to William D Dickerson. See written Order. IT IS ORDERED that the motion for release is DENIED. (ED, ilcd) (Entered: 08/19/2020)
01/04/2021		TEXT ORDER Entered by Chief Judge Sara Darrow on 1/4/2021. Pursuant to the Courts Administrative Order 20-mc-4011 and the provisions of the Criminal Justice Act, 18 USC 3006A(a)(1), and (c), Attorney Thomas Patton, the Federal Public Defender, is appointed to represent defendant regarding the Motion for Compassionate Release. (RES, ilcd) (Entered: 01/05/2021)
01/04/2021	<u>107</u>	MOTION for Compassionate Release by William D Dickerson. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibits, # <u>3</u> envelope)(RES, ilcd) (Entered: 01/05/2021)
01/04/2021		Text Order Entered by Chief Judge Sara Darrow on 1/4/2021 as to William D Dickerson. In view of the urgent circumstances presented in Defendant's Motion <u>107</u> , the Federal Public Defender is directed to file an Amended Motion for Compassionate Release, if appropriate, within 14 days of this order. Government shall then file its response, after consulting with the Bureau of Prisons as to its recommendation, within 14 days of the filing of any amended motion on behalf of Defendant. Probation is directed to provide a recommendation to the Court within 10 days regarding appropriateness of any proposed release plan, and if applicable, the feasibility of Defendant being released to stable accommodations which

		would facilitate the monitoring of the defendant and reduce the risk of harm to Defendant or any member of the community. (RES, ilcd) (Entered: 01/05/2021)
01/06/2021		TEXT ORDER REASSIGNING CASE: Entered by Chief Judge Sara Darrow on 1/6/2021. This case is reassigned to Judge Joe Billy McDade for further proceedings. (LN, ilcd) (Entered: 01/06/2021)
01/08/2021	<u>108</u>	NOTICE OF ATTORNEY APPEARANCE Douglas F McMeyer appearing for USA. (McMeyer, Douglas) (Entered: 01/08/2021)
01/14/2021	<u>109</u>	+ + COMPASSIONATE RELEASE RECOMMENDATION REPORT as to William D Dickerson (Waite, Alisha) (Entered: 01/14/2021)
01/18/2021	<u>110</u>	Amended MOTION for Compassionate Release by William D Dickerson. (Attachments: # <u>1</u> Exhibit BOP COVID-19 Reporting, # <u>2</u> Exhibit BOP Press Release, # <u>3</u> Exhibit Yazoo City Letter)(Drysedale, Thomas) (Entered: 01/18/2021)
01/18/2021	<u>111</u>	MOTION for Leave to File <i>Sealed Exhibit</i> by William D Dickerson. (Drysedale, Thomas) (Entered: 01/18/2021)
01/18/2021	<u>112</u>	+++ SEALED DOCUMENT. (Drysedale, Thomas) (Entered: 01/18/2021)
01/18/2021		TEXT ORDER granting <u>111</u> Motion for Leave to File as to William D Dickerson (1). Entered by Judge Joe Billy McDade on 1/18/21. (JMA, ilcd) (Entered: 01/18/2021)
01/29/2021	<u>113</u>	+ + COMPASSIONATE RELEASE RECOMMENDATION ADDENDUM REPORT as to William D Dickerson (Waite, Alisha) (Entered: 01/29/2021)
02/01/2021	<u>114</u>	RESPONSE to Motion by USA as to William D Dickerson re <u>107</u> MOTION for Compassionate Release, <u>110</u> Amended MOTION for Compassionate Release (Attachments: # <u>1</u> Exhibit 1 - Filed Under Seal, # <u>2</u> Exhibit 2 - Filed Under Seal, # <u>3</u> Exhibit 3 - Filed Under Seal, # <u>4</u> Exhibit 4 - Defendant's Disciplinary History, # <u>5</u> Exhibit 5 - Defendant's Patern Score)(McMeyer, Douglas) (Entered: 02/01/2021)
02/01/2021	<u>115</u>	+++ SEALED DOCUMENT. (Attachments: # <u>1</u> Exhibit 1 - 2019 Medical Records, # <u>2</u> Exhibit 2 - 2020 Medical Records, # <u>3</u> Exhibit 3 - 2021 Medical Records)(McMeyer, Douglas) (Entered: 02/01/2021)
02/11/2021		TEXT ORDER entered by Judge Joe Billy McDade on 2/11/2021. Defendant's compassionate release case is proceeding in both this Case, No. 04-20055, and Case No. 09-10096. It has come to the Court's attention that Defendant's Amended Motion for Compassionate Release (dkt. 110) and exhibit (dkt. 112) were not filed in Case No. 09-10096, even though the filings list both case numbers in the headings. Defense counsel is therefore directed to file copies of their submissions in Case No. 09-10096 at their earliest convenience. (KRL, ilcd) (Entered: 02/11/2021)
02/17/2021	<u>116</u>	REPLY TO RESPONSE to Motion by William D Dickerson re <u>107</u> MOTION for Compassionate Release, <u>110</u> Amended MOTION for Compassionate Release (Attachments: # <u>1</u> Exhibit, # <u>2</u> Envelope)(AEM, ilcd) (Entered: 02/17/2021)

02/17/2021	<u>117</u>	Letter from William Dickerson. (Attachments: # <u>1</u> Envelope) (AEM, ilcd) (Entered: 02/17/2021)
02/22/2021	<u>118</u>	ORDER and OPINION Entered by Judge Joe Billy McDade on 2/22/2021. IT IS THEREFORE ORDERED that Defendants requests for compassionate release (Case No. 04-20055, <u>107</u> <u>110</u> ; Case No. 09-10096, <u>50</u> , <u>56</u> are DENIED.(See Full Order) (AEM, ilcd) (Entered: 02/22/2021)
07/12/2021	<u>119</u>	MOTION for Reconsideration Under Rule 60(b)(6) or Section 404(c) of the FSA re <u>118</u> Order on Motion for Compassionate Release, by William D Dickerson. (Attachments: # <u>1</u> part 2, # <u>2</u> part 3, # <u>3</u> part 1, # <u>4</u> part 2, # <u>5</u> cover letter, # <u>6</u> envelope)(TK) (Entered: 07/12/2021)
07/12/2021	<u>120</u>	MOTION to Request Counsel by William D Dickerson. (TK) (Entered: 07/12/2021)
07/19/2021	<u>121</u>	ORDER DENYING <u>119</u> Motion for Reconsideration re <u>118</u> Order on Motion for Compassionate Release and FINDING AS MOOT <u>120</u> Motion to Request Counsel as to William D Dickerson. Entered by Judge Joe Billy McDade on 7/19/2021. (AH) (Entered: 07/19/2021)
07/19/2021		Attorney update in case as to William D Dickerson. Attorney Jonathan E Hawley terminated. (AH) (Entered: 07/19/2021)

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Judgment
3/11/21
Docket # 376

UNITED STATES DISTRICT COURT
for the
CENTRAL DISTRICT OF ILLINOIS

002
Docket 372 is Sealed
Has unpledged
Amended Judgment
Docket # 377
is Sealed
Has first Judgment

United States of America)

v.)

Bernard Douglas)

Case No. 07-cr-10080-003

USM No. 13373-026

06/30/2008

Rosana E Brown

Date of Previous Judgment

Defendant's Attorney

Order for Sentence Reduction Pursuant to Section 404 of the First Step Act of 2018

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the attorney for the Government, or ☐ the Court for a reduced sentence based on the statutory penalties which were modified by sections 2 or 3 of the Fair Sentencing Act of 2010 (Public Law 111-220; 124 Stat. 2372), as if sections 2 and 3 of the Fair Sentencing Act of 2010 were in effect at the time defendant's offense was committed. Having considered such motion, and taking into account the First Step Act of 2018,

IT IS ORDERED that the motion is:

☐ DENIED ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 240 month is reduced to Time Served

I. COURT DETERMINATION OF SENTENCING PURSUANT TO FIRST STEP ACT OF 2018:

Previous Sentence Imposed: 240 months

Amended Sentence: Time Served

Previous Supervised Release Term Imposed: 10 yrs

Amended Supervised Release Term: 5 yrs

Previous Underlying Sentence Imposed:

Amended Underlying Sentence:

II. SENTENCE RELATIVE TO AMENDED TERMS:

- ☐ Conditions of supervised release set forth in judgment are to remain in effect.
☐ Conditions of supervised release set forth in judgment are to remain in effect, with the following modifications:

II. ADDITIONAL COMMENTS:

☐ Waiver of Appearance of Defendant for resentencing hearing (attached).

18 month revocation sentence in 04-10074 remains consecutive to the sentence in this case.

Except as provided above, all provisions of the judgment dated 06/30/2008 shall remain in effect.

IT IS SO ORDERED.

Order Date: 3/11/2021

s/Michael M. Mihm

Judge's Signature

Michael M. Mihm U.S. District Judge

Appendix D