

No. \_\_\_\_\_

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IN THE  
SUPREME COURT OF THE UNITED STATES

\_\_\_\_\_  
TONY FORD,  
*Petitioner,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

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ON PETITION FOR WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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APPLICATION FOR EXTENSION OF TIME TO  
FILE FOR A WRIT OF CERTIORARI

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A. Fitzgerald Hall, Esq.  
Federal Defender, MDFL

Meghan Ann Collins, Counsel of Record  
Research and Writing Attorney  
Appellate Division  
Federal Defender's Office, MDFL  
201 S. Orange Avenue, Suite 300  
Orlando, Florida 32801  
Telephone: (407) 648-6338  
E-mail: Meghan\_Boyle@fd.org

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**APPLICATION FOR EXTENSION OF TIME TO FILE A  
PETITION FOR A WRIT OF CERTIORARI**

To the Honorable Clarence Thomas, Circuit Justice for the United States Court of Appeals for the Eleventh Circuit:

Pursuant to Rule 13.5 of the Rules of the Supreme Court of the United States, Petitioner Tony Ford respectfully requests a 30-day extension of time, up to and including December 28, 2023, to file his Petition for a Writ of Certiorari.

**BASIS FOR JURISDICTION**

The United States District Court for the Middle District of Florida had original jurisdiction over this criminal case under 18 U.S.C. § 3231. The United States Court of Appeals for the Eleventh Circuit reviewed the district court's judgment under 18 U.S.C. § 3742 and 28 U.S.C. § 1291. The Eleventh Circuit issued its decision on August 30, 2023.

This Court will have jurisdiction over any timely filed petition for certiorari in this case under 28 U.S.C. § 1254(1). Under Supreme Court Rules 13.1, 13.3, and 30.1, Mr. Ford's petition for a writ of certiorari is currently due on November 28, 2023. He files this Application more than ten days before that date pursuant to S. Ct. Rule 13.5.

## **JUDGMENT FOR WHICH REVIEW IS SOUGHT**

On August 30, 2023, the Eleventh Circuit affirmed Mr. Ford's judgment and sentence upon revocation. *See United States v. Ford*, No. 20-11126, 2023 WL 5606226 (11th Cir. August 30, 2023). A copy of the opinion is attached as Appendix A-1. Mr. Ford did not seek rehearing.

## **REASONS FOR GRANTING AN EXTENSION OF TIME**

The undersigned counsel of record is a Research and Writing Attorney with the Federal Defender's Office in the Middle District of Florida. At present, she is counsel of record in over 20 open appellate cases and over 300 cases related to Amendment 821 to the United States Sentencing Guidelines.

In the past month undersigned counsel filed an initial brief in *United States v. Read*, case no. 23-10271 (11th Cir.), and a reply brief in *United States v. Espinosa Chavez*, case 22-13769 (11th Cir.). In upcoming weeks, undersigned counsel will devote her time to several other matters, including initial briefs in *United States v. Johnson*, No. 23-11730 (11th Cir.), and *United States v. Johnson*, No. 23-11576 (11th Cir.), and drafting motions to reduce sentence pursuant to Amendment 821 for approximately 100 inmates who may be entitled to immediate

release in February 2024.

A 30-day extension would allow the undersigned counsel to effectively contribute to these pending client matters, including Mr. Ford's petition. Mr. Ford respectfully submits that these facts support a finding of good cause under S. Ct. R. 13.5.

### CONCLUSION

Wherefore, undersigned counsel respectfully asks this Honorable Court to grant a 30-day extension of time, until December 28, 2023, in which to file a petition for a writ of certiorari.

Respectfully submitted,

A. Fitzgerald Hall  
Federal Defender, MDFL

/s/ Meghan Ann Collins  
Meghan Ann Collins, Esq.  
Research and Writing Attorney  
Florida Bar Number 0492868  
201 S. Orange Avenue, Suite 300  
Orlando, Florida 32801  
Telephone: (407) 648-6338  
E-mail: Meghan\_Boyle@fd.org

## APPENDIX

Decision of the Court of Appeals for the Eleventh Circuit, <i>United States v. Ford</i> , 2023 WL 5606226 (11th Cir. August 30, 2023). .....	A-1
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# **APPENDIX A-1**

2023 WL 5606226

Only the Westlaw citation is currently available.  
United States Court of Appeals, Eleventh Circuit.

UNITED STATES of America, Plaintiff-Appellee,

v.

Tony L. FORD, a.k.a. BoBo, a.k.a. Bo,  
a.k.a. Big Head, Defendant-Appellant.

No. 20-11126

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Non-Argument Calendar

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Filed: 08/30/2023

Appeal from the United States District Court for the Middle District of Florida, D.C. Docket No. 8:05-cr-00044-SCB-JSS-1

#### Attorneys and Law Firms


U.S. Attorney Service - Middle District of Florida, U.S. Attorney, Holly Lynn Gershow, U.S. Attorney's Office, Tampa, FL, for Plaintiff-Appellee.





Meghan Ann Collins, Federal Public Defender's Office, Orlando, FL, Rosemary Cakmis, Law Office of Rosemary Cakmis, Orlando, FL, Adam Paul LaBonte, Federal Public Defender's Office, Tampa, FL, Leonard Evans Clark, Law Offices of David Dougherty, Tampa, FL, Tracy Michele Dreispul, Federal Public Defender's Office, Miami, FL, Tony L. Ford, FCI Coleman Medium - Inmate Legal Mail, Coleman, FL, for Defendant-Appellant.



Before Newsom, Anderson, and Edmondson, Circuit Judges.



#### ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES


#### PER CURIAM:

\*1 We previously issued an opinion affirming the district court's denial of Tony Ford's motion for a sentence reduction under section 404 of the First Step Act of 2018. *See*  *United States v. Ford*, 858 F. App'x 325 (11th Cir. 2021) (unpublished).





In our original opinion, we concluded that a sentence of life imprisonment remained the lowest possible penalty available to Ford under the Fair Sentencing Act given the quantity of drugs involved in Ford's offense (5 kilograms of powder cocaine and 50 grams of crack cocaine) and Ford's two prior felony drug convictions. *See*  *id.* at 328 (explaining that, “[b]oth before and after passage of the Fair Sentencing Act,  21 U.S.C. §] 841(b)(1)(A)(ii) imposed a mandatory life sentence for offenses involving five kilograms or more of powder cocaine committed by defendants with two or more prior felony drug convictions.”). For that reason, we concluded -- relying on our decision in  *United States v. Jones*, 962 F.3d 1290 (11th Cir. 2020) -- that the district court lacked authority to reduce Ford's sentence. *See*  *Ford*, 858 F. App'x at 327-28.


We also rejected Ford's suggestion that his sentence should be reduced based on other changes in the law that had since lowered the statutory-mandatory-penalty for his offense. We explained that -- because the district court was not free to consider changes in the law “beyond those mandated by sections 2 and 3” of the Fair Sentencing Act -- it was immaterial that “Ford might be subject to a lower statutory mandatory sentence under the most recent version of  section 841(b)(1)(A).” *See*  *id.* at 328.


The Supreme Court later granted *certiorari*, vacated our decision, and remanded the case to us for additional consideration in the light of its decision in  *Concepcion v. United States*, 142 S. Ct. 2389 (2022). *See Ford v. United States*, 143 S. Ct. 71 (2022). In *Concepcion*, the Supreme Court concluded that district courts may “consider intervening changes of law or fact in exercising their discretion to reduce a sentence pursuant to the First Step Act.” *See*  142 S. Ct. at 2404. The parties have filed supplemental briefs addressing what effect, if any, *Concepcion* has on the disposition of this appeal.



In his supplemental brief, Ford contends that the district court had discretion under *Concepcion* to consider an intervening change to the statutory-mandatory-minimum sentence in  section 841(b)(1)(A) in ruling on Ford's First Step Act motion. We disagree.

We have already concluded that the Supreme Court's decision in *Concepcion* did not abrogate our decision in *Jones*. *See*

 *United States v. Jackson*, 58 F.4th 1331, 1333 (11th Cir. 2023). In distinguishing the circumstances presented in *Concepcion* from those presented in *Jones*, we explained that *Jones* involved a determination about drug-quantity: “an issue that arises before the sentencing court's discretion comes into play.”  *Id.* at 1336. *Concepcion*, on the other hand, addressed what factors a district court may consider when exercising its discretion to modify a movant's sentence: “an issue that arises only after drug quantity and the corresponding statutory penalties have been established.” *See id.* In drawing that distinction, we were guided by language in *Concepcion* specifying that “[a] district court cannot ... recalculate a movant's benchmark Guidelines range in any way other than to reflect the retroactive application of the Fair Sentencing Act.” *See*  *id.* at 1337 (citing  *Concepcion*, 142 S. Ct. at 2402 n.6, 2403 n.8).

\*2 We have also reaffirmed post-*Concepcion* our conclusion in *Jones* that a district court lacks authority to reduce a sentence under the First Step Act if the movant “received the lowest statutory penalty that also would be available to him under the Fair Sentencing Act.” *See*  *United States v. Clowers*, 62 F.4th 1377, 1380-81 (11th Cir. 2023) (affirming the denial of a sentence reduction under the First Step Act because the movant would still be subject to a mandatory life sentence had the Fair Sentencing Act been in effect when he committed his offense). And we have stressed that a district court determines the applicable statutory penalty by

“recalculat[ing] the statutory sentencing range as if the Fair Sentencing Act's changes -- *and only those changes* -- were in effect at the time the offense was committed.” *See*  *id.* at 1378 (emphasis added).

The central issue in this case involves the calculation of the minimum-statutory-penalty Ford would face under the Fair Sentencing Act: a matter “that arises before the sentencing court's discretion comes into play.” *See*  *Jackson*, 58 F.4th at 1336. Applying only those changes made by the Fair Sentencing Act, Ford would still be subject to a statutory-mandatory-minimum-sentence of life imprisonment. The district court, thus, lacked authority to reduce Ford's sentence and never reached the discretionary decision-making stage addressed in *Concepcion*. *See*  *Clowers*, 62 F.4th at 1380-81.

We see no conflict between our prior opinion in this appeal and the Supreme Court's decision in *Concepcion*. We reinstate our prior opinion and affirm the district court's order denying Ford's motion for a reduced sentence.

OPINION REINSTATED; AFFIRMED.

#### All Citations

Not Reported in Fed. Rptr., 2023 WL 5606226



# **APPENDIX A-2**

143 S.Ct. 71  
Supreme Court of the United States.

Tony FORD, Petitioner,

v.

UNITED STATES.


No. 21-6224.

I

October 03, 2022

Case below,  858 Fed.Appx. 325.

### Opinion

On petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated, and case remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of  *Concepcion v. United States*, 597 U.S. —, 142 S.Ct. 2389, 213 L.Ed.2d 731 (2022). Justice Kagan took no part in the consideration or decision of this motion and this petition.

### All Citations

143 S.Ct. 71 (Mem), 214 L.Ed.2d 121

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# **APPENDIX A-3**



KeyCite Red Flag - Severe Negative Treatment

Certiorari Granted, Judgment Vacated by Ford v. United States, U.S., October 3, 2022

858 Fed.Appx. 325

This case was not selected for publication in West's Federal Reporter.

See Fed. Rule of Appellate Procedure 32.1 generally governing citation of judicial decisions issued on or after Jan. 1, 2007. See also U.S. Ct. of App. 11th Cir. Rule 36-2. United States Court of Appeals, Eleventh Circuit.

UNITED STATES of America, Plaintiff-Appellee,  
v.

Tony L. FORD, a.k.a. BoBo, a.k.a. Bo,  
a.k.a. Big Head, Defendant-Appellant.

No. 20-11126

|  
Non-Argument Calendar

|  
(May 26, 2021)

### Synopsis

**Background:** Defendant filed motion for sentence reduction pursuant to First Step Act. The United States District Court for the Middle District of Florida, No. 8:05-cr-00044-SCB-JSS-1, Susan Bucklew, Senior District Judge, denied motion and denied defendant's motion for reconsideration. Defendant appealed.

**Holdings:** The Court of Appeals held that:

defendant's conviction for conspiracy to possess with intent to distribute five kilograms or more of powder cocaine and 50 grams or more of crack cocaine qualified as "covered offense" under First Step Act, but

district court had no authority under First Step Act to reduce defendant's life sentence.

Affirmed.

**Procedural Posture(s):** Appellate Review; Sentencing or Penalty Phase Motion or Objection.

\*326 Appeal from the United States District Court for the Middle District of Florida, D.C. Docket No. 8:05-cr-00044-SCB-JSS-1

### Attorneys and Law Firms

Holly Lynn Gershow, U.S. Attorney Service - Middle District of Florida, U.S. Attorney's Office, Tampa, FL, for Plaintiff-Appellee

Adam Paul Labonte, Leonard Evans Clark, Law Offices of David Dougherty, Tampa, FL, Rosemary Cakmis, Law Office of Rosemary Cakmis, Orlando, FL, Tracy Michele Dreispul, Federal Public Defender's Office, Miami, FL, for Defendant-Appellant

Tony L. Ford, Pro Se

Before NEWSOM, ANDERSON, and EDMONDSON,  
Circuit Judges.

### Opinion

PER CURIAM:

Tony Ford appeals the district court's orders (1) denying his motion for a sentence reduction under section 404 of the First Step Act of 2018<sup>1</sup> and (2) denying his motion for reconsideration of that denial. No reversible error has been shown; we affirm.

In 2005, a jury found Ford guilty of (1) conspiracy to possess with intent to distribute 5 kilograms or more of powder cocaine and 50 grams or more of crack cocaine, in violation of 21 U.S.C. §§ 841(b)(1)(A)(ii) and (iii), 846 (Count 1); (2) 5 counts of possession with intent to distribute and distribution of cocaine and crack cocaine, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B), (b)(1)(C) (Counts 2, 4, 5, 6, 7); and (3) possession of a firearm as a convicted felon, in violation of 18 U.S.C. § 922(g) (Count 11).

The Presentence Investigation Report ("PSI") calculated Ford's base offense level as 38, based on the quantity of drugs involved in Ford's offenses. The PSI applied a four-level enhancement for Ford's leadership role in the offense. The PSI also designated Ford as a career offender -- under 18 U.S.C. § 4B1.1 -- because Ford had two prior felony convictions for controlled-substance offenses. Based on the resulting total offense level of 42 and on a criminal history

category of VI, Ford's advisory guidelines range was 360 months to life imprisonment.

Ford, however, also qualified for enhanced statutory penalties -- under 21 U.S.C. §§ 841(b) and 851 -- based on his two prior felony drug convictions. In pertinent part, Ford was subject to a statutory mandatory sentence of life imprisonment on Count 1. As a result, Ford's guidelines range also became life imprisonment under 18 U.S.C. § 5G1.1(c) (2).

The district court sentenced Ford to (1) life imprisonment on Count 1; (2) 360 months' imprisonment on each of Counts 2, 4, 5, 6, and 7; and (3) 120 months' imprisonment on Count 11, all to run concurrently.

In March 2019, Ford -- through his lawyer -- moved to reduce his sentences pursuant to Section 404 of the First Step Act.<sup>2</sup>

The district court denied Ford's motion in March 2020. The district court concluded that Ford was ineligible for a reduced sentence because -- given the 5 kilograms of powder cocaine involved in Count 1 -- Ford remained subject to a mandatory sentence of life imprisonment. The district \*327 court later denied Ford's motion to reconsider that denial.

We review *de novo* whether a district court had the authority to modify a term of imprisonment under the First Step Act. See *United States v. Jones*, 962 F.3d 1290, 1296 (11th Cir. 2020). "We review for abuse of discretion the denial of an eligible movant's request for a reduced sentence under the First Step Act." *Id.*

The First Step Act "permits district courts to apply retroactively the reduced statutory penalties for crack-cocaine offenses in the Fair Sentencing Act of 2010 to movants sentenced before those penalties became effective." *Id.* at 1293. Under section 404(b) of the First Step Act, "a district court that imposed a sentence for a covered offense [may] impose a reduced sentence as if sections 2 and 3 of the Fair Sentencing Act were in effect at the time the covered offense was committed." *Id.* at 1297 (quotations and alterations omitted).

To be eligible for a reduction under section 404(b), a movant must have been sentenced for a "covered offense" as defined

in section 404(a). *Id.* at 1298. We have said that a movant has committed a "covered offense" if the movant's offense triggered the higher statutory penalties for crack-cocaine offenses in 21 U.S.C. § 841(b)(1)(A)(iii) or (B)(iii): penalties that were later modified by the Fair Sentencing Act. See *id.* A multi-drug conspiracy offense involving both crack cocaine and another controlled substance constitutes a "covered offense" as long as the quantity of crack cocaine triggered an increased statutory penalty. See *United States v. Taylor*, 982 F.3d 1295, 1300 (11th Cir. 2020).

In determining whether a movant has a "covered offense" under the First Step Act, the district court "must consult the record, including the movant's charging document, the jury verdict or guilty plea, the sentencing record, and the final judgment." *Jones*, 962 F.3d at 1300-01. The pertinent question is whether the movant's conduct satisfied the drug-quantity element in sections 841(b)(1)(A)(iii) (50 grams or more of crack cocaine) or 841(b)(1)(B)(iii) (5 grams or more of crack cocaine) and subjected the movant to the statutory penalties in those subsections. *Id.* at 1301-02. If so -- and if the offense was committed before 3 August 2010 (the effective date of the Fair Sentencing Act) -- then the movant's offense is a "covered offense," and the district court may reduce the movant's sentence "as if" the applicable provisions of the Fair Sentencing Act "were in effect at the time the covered offense was committed." See First Step Act § 404(b); *Jones*, 962 F.3d at 1301, 1303.

Here, the quantity of crack cocaine involved in Ford's multi-drug conspiracy offense in Count 1 -- which the jury found was 50 grams or more -- triggered the enhanced statutory penalties in section 841(b)(1)(A)(iii). Because Ford's drug conspiracy offense in Count 1 was committed before 3 August 2010, his offense qualifies as a "covered offense" under the First Step Act.

Having concluded that Ford satisfied the "covered offense" requirement, we next consider whether a sentence reduction was available. We have said that the "as if" qualifier in section 404(b) of the First Step Act imposes two limitations on the district court's authority to reduce a sentence under the First Step Act. See *Jones*, 962 F.3d at 1303. First, the district court cannot reduce a sentence where the movant "received the lowest statutory penalty that also would be available

to him under the Fair Sentencing Act.” [Id.](#) “Second, in determining what a movant’s statutory penalty would be under the Fair Sentencing Act, the district court is bound by \*328 a previous finding of drug quantity that could have been used to determine the movant’s statutory penalty at the time of sentencing.” [Id.](#) In other words, a district court lacks the authority to reduce a movant’s sentence when the sentence would necessarily remain the same under the Fair Sentencing Act. [See](#) [id.](#)

Applying these limitations, the district court had no authority under the First Step Act to reduce Ford’s life sentence. The Fair Sentencing Act amended only the statutory penalties applicable to offenses involving crack cocaine; the statutory penalties applicable to offenses involving powder cocaine remained unchanged. Both before and after passage of the Fair Sentencing Act, [18](#) section 841(b)(1)(A)(ii) imposed a mandatory life sentence for offenses involving five kilograms or more of powder cocaine committed by defendants with two or more prior felony drug convictions. [Compare](#) [18](#) 21 U.S.C. § 841(b)(1)(A)(ii) (2009), with [18](#) [id.](#) § 841(b)(1)(A)(ii) (2010).

Based on Ford’s two prior felony drug convictions and the jury’s finding that Ford was responsible for 5 kilograms of powder cocaine, Ford’s sentence of life imprisonment is still

the lowest possible penalty that would be available to him under the Fair Sentencing Act.

That Ford might be subject to a lower statutory mandatory sentence under the most recent version of [18](#) section 841(b)(1)(A) is immaterial. In ruling on a defendant’s motion under section 404 of the First Step Act, a district court has limited authority to reduce a sentence “as if” sections 2 and 3 of the Fair Sentencing Act were in effect. A district court “is not free ... to reduce the defendant’s sentence on the covered offense based on changes in the law beyond those mandated by sections 2 and 3.” [18](#) [United States v. Denson](#), 963 F.3d 1080, 1089 (11th Cir. 2020) (emphasis added). “[T]he First Step Act does not authorize the district court to conduct a plenary or de novo resentencing.” [18](#) [Id.](#)

We affirm the district court’s determination that Ford was ineligible for a reduced sentence under the First Step Act. We also affirm the district court’s denial of Ford’s motion for reconsideration of that denial.

AFFIRMED.<sup>3</sup>

#### All Citations

858 Fed.Appx. 325

### Footnotes

1 First Step Act of 2018, Pub. L. 115-391, § 404(b), 132 Stat. 5194, 5222.

2 Only Ford’s life sentence on Count 1 is at issue in this appeal.

3 To the extent Ford contends that our decisions in [18](#) [Jones](#) and in [18](#) [Denson](#) are wrongly decided, we must decline to consider those arguments in this appeal. [See](#) [18](#) [United States v. Johnson](#), 981 F.3d 1171, 1192 (11th Cir. 2020) (“Under our prior precedent rule, we must follow the precedent of earlier panels unless and until the prior precedent is overruled or undermined to the point of abrogation by the Supreme Court or this Court sitting en banc.”).

# **APPENDIX A-4**

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

UNITED STATES OF AMERICA

v.

CASE NO. 8:05-cr-44-T-24TBM

TONY L. FORD,

Defendant.

\_\_\_\_\_ /

**ORDER**

Defendant Tony L. Ford (“Ford”), represented by counsel, filed a Motion to Reduce Sentence Pursuant to the First Step Act of 2018. (Doc. 509). The Government filed a response in opposition. (Doc.512). The United States Probation Office filed a memorandum addressing the application of the First Step Act in which they determined Ford was not eligible for a sentence reduction because one of the offenses at conviction, conspiracy to possess with intent to distribute and to distribute more than 5 kilograms of cocaine & more than 50 grams of cocaine base remains punishable under 21 U.S.C. § 841(b)(1)(A)(ii) based on the powder cocaine. (Doc. 498).

**I. Background**

Ford was convicted by a jury of conspiracy to possess with intent to distribute 5 kilograms or more of cocaine & 50 grams or more of cocaine base in violation of 21 U.S.C. §§ 846, 841 (b)(1)(A)(ii) and 841 (b)(1)(A)(iii)—Count One, possession with the intent to distribute and distribution of cocaine—Count Two, possession with intent to



distribute and distribution of cocaine base in violation of 21 U.S.C. 841 (a)(1) and 841 (b)(1)(C)—Count Four, possession with intent to distribute and distribution of 5 grams or more of cocaine base in violation of 21 U.S.C. §§ 841(a)(1) & 841(b)(1)(B)---Counts Five, Six and Seven, and convicted felon in possession of a firearm---Count Eleven. He was sentenced to life imprisonment on November 4, 2005. The sentence consists of a term of life imprisonment on Count One, terms of imprisonment of 360 months on Counts Two, Four, Five, Six, and Seven, and 120 months on Count Eleven, all to run concurrent to each other. Prior to trial, the Government filed an information and notice of Ford's prior convictions, pursuant to 21 U.S.C. §851, subjecting him to a mandatory minimum of life imprisonment.

## **II. Arguments**

On September 30, 2019, Ford, represented by counsel, filed a motion to reduce sentence pursuant to the First Step Act of 2018, in which he asserts that he is eligible for a reduction under The First Step Act and he requests that the Court reduce his sentence to time served and his supervised release to four years.

The United States filed a response to Defendant's motion and argues that the United States Probation Office correctly states Ford is not eligible for relief because he was convicted of a conspiracy that included 5 kilograms or more of powder cocaine, and the First Step Act has no impact on the statutory penalties for cocaine offenses.

### III. Discussion

The First Step Act of 2018 (“2018 FSA”) makes retroactive, to defendants sentenced before August 3, 2010, sections 2 and 3 of the Fair Sentencing Act of 2010 (“2010 FSA”), which lowered statutory penalties for certain offenses involving crack cocaine. *See* First Step Act, Pub. L. No. 115-391, § 404. The 2018 FSA is an extension of the 2010 FSA, designed only to afford relief to a narrow group of defendants to whom relief under the 2010 FSA was previously unavailable because the statute was not retroactive. Congress enacted the 2010 FSA on August 3, 2010, to reduce the disparity between the amount of powder cocaine and the amount of crack cocaine required to trigger mandatory minimums. *Dorsey v. United States*, 567 U.S. 260, 264 (2012). The 2018 FSA authorizes, but does not require, a district court to impose a reduced sentence to eligible defendants.

Section 404(a) of the 2018 FSA defines “covered offense” as “a violation of a Federal criminal statute, the statutory penalties for which were modified by section 2 or 3 of the Fair Sentencing Act of 2010 that was committed before August 3, 2010.” A covered offense, therefore, is a violation for which the penalties have been modified. *See. United States v. Wyatt*, 2020 WL 897400. As both the Government and the Probation Office point out, Count One charges a conspiracy that includes both powder cocaine and cocaine base---conspiracy to possess with intent to distribute more than 5 kilograms of cocaine and more than 60 grams of cocaine base—and, based on the 5


kilograms or more of cocaine and the 21 U. S. C. §851 notice filed by the Government, the mandatory term of imprisonment remains life.

Finally, if this Court is incorrect and Ford does qualify for a reduction, this Court **would reduce** his sentence down from the life sentence imposed on November 18, 2008, to 300 months in the Bureau of Prisons.

**ACCORDINGLY**, it is **ORDERED AND ADJUDGED**:

Defendant Tony L. Ford's Motion for Reduction of Sentence pursuant to The First Step Act (Doc. 509) is **DENIED**.

It is so **ORDERED** at Tampa, Florida this 6th day of March 2020.

  
\_\_\_\_\_  
SUSAN C. BUCKLEW  
United States District Judge

**Copies to:**  
Counsel of record