

**UNITED STATES COURT OF APPEALS FOR
THE SEVENTH CIRCUIT**

ORDER

August 25, 2021

Before

MICHAEL S. KANNE, Circuit Judge
DIANE P. WOOD, Circuit Judge
DAVID F. HAMILTON, Circuit Judge

UNITED STATES OF
AMERICA,
Plaintiff - Appellee,

No. 21-1153

v.

CLINTON WILLIAMS,
Defendant - Appellant.

Originating Case Information:

District Court No: 2:06-cr-20032-JES-DGB-3

Central District of Illinois

District Judge James E. Shadid

The following are before the Court:

1. **UNITED STATES OF AMERICA'S POSITION STATEMENT**, filed on August 3, 2021, by counsel for the appellee.
2. **MOTION TO SUMMARILY AFFIRM**, filed on August 20, 2021, by counsel for the appellant.

Clinton Williams appeals the denial of his motion for compassionate release. Williams’s motion asserted that an amendment in the First Step Act of 2018, Pub. L. No. 115-391, § 403, 132 Stat. 5194, 5221–22, limiting the circumstances in which enhanced sentences may be imposed for violations of 18 U.S.C. § 924(c), presented an “extraordinary and compelling” reason for a sentence reduction. *See* 18 U.S.C. § 3582(c)(1)(A)(i). Williams renewed his arguments on appeal, but the parties now agree that the outcome of the appeal is controlled by our recent decision in *United States v. Thacker*, 4 F.4th 569 (7th Cir. 2021), in which we held that the amendment to § 924(c) cannot constitute an extraordinary and compelling reason to reduce a sentence, either alone or in combination with other factors. Accordingly,

IT IS ORDERED that the motion for summary affirmance is **GRANTED** and the judgment of the district court is summarily **AFFIRMED**.

**U.S. District Court
CENTRAL DISTRICT OF ILLINOIS**

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Case Name: USA v. Williams et al

Case Number: 2:06-cr-20032-JES-DGB

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Docket Text:

TEXT ONLY ORDER DENYING Defendant's Motions 352 353 for Compassionate Release. The Court has reviewed Defendant's Motions, the United States' Response 356 and all other filings related to the Motions. In his Motions, Defendant omits any information regarding his age, health conditions, or the number of positive COVID-19 cases at his institution. These are the factors the Court has previously considered when ruling on compassionate release requests.(*see, e.g., United States v. Melgarejo*, No. 12-cr-20050, ECF Doc. 41 at p. 5 (C.D. Ill. May 12, 2020)), *aff'd*, No. 20-1802 (7th Cir. Dec. 8, 2020)). Rather, Defendant argues subsequent changes in the law satisfy the extraordinary and compelling reasons requirement. This Court has previously rejected that argument. *See, e.g., United States v. Williams*, No. 12-cr-10102, ECF Doc. 69 (C.D. Ill. Jan. 20, 2021). Because non-retroactive changes in the law occur regularly and do not invalidate the legality of previously imposed sentences, such changes are not extraordinary or compelling reasons for granting compassionate release. Accordingly, Defendant's

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Motions 352 353 are DENIED. Entered by Judge James E. Shadid on 1/21/2021. (VH, ilcd) (Entered: 01/21/2021)