

## **APPENDIX C: District Court's Order**

UNITED STATES DISTRICT COURT  
for the  
Southern District of California

United States of America

v.

WillieDwayne Mickey

Date of Original Judgment: 09/09/2016

Date of Previous Amended Judgment: \_\_\_\_\_

(Use Date of Last Amended Judgment if Any)

Case No: 15cr1201-BTM

USM No: 49699298

David Silldorf

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ 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, and taking into account the policy statement set forth at USSG §1B1.10.

**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 \_\_\_\_\_ months is reduced to \_\_\_\_\_.

(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

Defendant Mickey moves for a reduction of his sentence based on the November 1, 2023 retroactive amendment to U.S.S.G. Section 4A1.1(d) and (e) which eliminated the two criminal history points because he was on probation at the time of the offense. Mickey was assessed 5 criminal history points resulting in a criminal history category of III. With an adjusted offense level of 38 and a category III, Mickey's guideline range was 292 to 365 months. With the retroactive amendment, he has 3 criminal history points and is in category II with a guideline range of 262 to 327 months. However, the Court granted a downward variance to a sentence of 204 months concurrent on both counts. Thus, Mickey was given a sentence lower than the guideline range applying the retroactive amendment. Therefore, a further reduction is not authorized or permitted. See Application Note 3 to U.S.S.G. Section 1B1.10(b).

Except as otherwise provided, all provisions of the judgment dated \_\_\_\_\_ shall remain in effect.

**IT IS SO ORDERED.**

Order Date: \_\_\_\_\_

~~09/20/2024~~

12/9/24



Judge's signature

Effective Date: \_\_\_\_\_

(if different from order date)

Barry T. Moskowitz, U.S. District Judge

Printed name and title