

UNITED STATES DISTRICT COURT
for the
Middle District of Florida

United States of America
v.
DIEGO ERNESTO OBREGON-CAICEDO

Case No: 8:13-cr-331-JSM-SPF
USM No: 62856-018

Date of Original Judgment:
Date of Previous Amended Judgment: 02/05/2021
(Use Date of Last Amended Judgment if Any)

James T. Skuthan
Defendant's Attorney

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

Upon motion of [X] 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 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

[X] 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)

Although the defendant was assessed zero criminal history points, Part B, subpart 1, of Amendment 821 is not applied retroactively, because the defendant does not meet the criteria set forth at USSG §4C1.1. Specifically, the defendant does not meet the criteria at: §4C1.1(a)(10) – Adjustment under §3B1.1 (Aggravating Role) and engaged in continuing criminal enterprise, as defined in 21 U.S.C. § 848.

Therefore, the defendant is not eligible for a sentencing reduction pursuant to Amendment 821.

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

IT IS SO ORDERED.

Order Date: 11/26/2024

[Handwritten Signature]
Judge's signature

Effective Date: \_\_\_\_\_
(if different from order date)

James S. Moody, Jr., United States District Judge
Printed name and title