

UNITED STATES DISTRICT COURT
for the
Middle District of Florida

United States of America

v.

JHON FLAVIO RODRIGUEZ-BENAVIDES

Case No: 8:19-cr-468-JSM-TGW

USM No: 72784-018

Date of Original Judgment: 11/16/2020

Date of Previous Amended Judgment:

(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)

Retroactive application of Amendment would lower the defendant's applicable guideline range; however, the defendant received a sentence that was equal to or less than the minimum of the amended guideline range as adjusted by a comparable substantial assistance departure, if applicable. Pursuant to USSG §1B1.10(b)(2)(A), except as provided in USSG §1B1.10(b)(2)(B), the court shall not reduce the defendant's term of imprisonment under 18 U.S.C. § 3582(c)(2) and §1B1.10 to a term that is less than the minimum of the amended guideline range.

Retroactive application of Part B, subpart 1, of Amendment 821 provides for a range of 108 to 135 months imprisonment, and the defendant was previously sentenced to a 108 month term of imprisonment. Therefore, the defendant is not eligible for a sentence 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 of James S. Moody, Jr.]

Judge's signature

Effective Date: _____ (if different from order date)

James S. Moody, Jr., United States District Judge

Printed name and title