

**In the United States District Court  
for the District of Kansas**

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**United States of America,**  
*Plaintiff,*

v.

Case No. 99-10023-02-JTM

**Leo D. Graham**

*Defendant.*

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**Order Reducing Term of Imprisonment to Time Served**

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This matter is before the Court on the Defendant's Motion to Reduce Sentence Under 18 U.S.C. § 3582(c)(1)(A)(i) [Doc. 419] filed on June 24, 2020. The government concurs in the defendant's request for immediate release from the Bureau of Prisons [Doc. 430].

Mr. Graham was sentenced to serve 188 months' imprisonment on one count of armed bank robbery, 18 U.S.C. § 2113(a) [Doc. 138].

The Court has considered the applicable factors set forth in 18 U.S.C. § 3582(c)(1)(A)(i) and 18 U.S.C. § 3553(a) to reduce the defendant's term of imprisonment to time served. Mr. Graham is 64 years old. His medical records confirm that he needs complex chronic care for diabetes, rapid and irregular heart rate, chronic kidney disease, hypertension, and sleep apnea. This combination of medical concerns puts him at a high risk of complications from

COVID-19. Mr. Graham has served the vast majority of his sentence, with just 19 months remaining. He has demonstrated rehabilitation while serving his sentence. He will pose no danger to the public if released. Furthermore, the defendant has demonstrated to the court that he can abide by conditions of supervision as evidenced by his home plan, which has been approved by the United States Probation Office.

The Court therefore concludes in its discretion that extraordinary and compelling reasons warrant the reduction of the defendant's sentence to time served pursuant to Section 3582(c)(1)(A).

**IT IS THEREFORE ORDERED** by the Court that the Defendant's motion for reduction of sentence pursuant to 18 U.S.C. § 3582 [Doc. 419] is GRANTED. The Court reduces Defendant's sentence to time served.

Defendant's previously imposed three-year term of supervised release shall begin immediately upon his release. All previously imposed terms and conditions of supervised release remain in effect.

**IT IS SO ORDERED.**

Dated this 22nd day of July, 2020, at Wichita, Kansas.

s/ J. Thomas Marten  
The Honorable J. Thomas Marten  
United States District Court Judge