

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

Case No. 00-10026-02-JTM

VANESSA GLASS,  
Defendant.

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MEMORANDUM AND ORDER

This matter is before the court on the motion of defendant Vanessa Glass for an order which would permit her to serve the remaining period of her sentence in home confinement. Pursuant to 18 U.S.C. § 3621, the Bureau of Prisons has the authority to designate the place of a prisoner's imprisonment. The court is without jurisdiction to effect transfer of a prisoner to alternate confinement. *See United States v. Eakman*, 378 F.3d 294, 300 (3d Cir.2004). Absent a modification in sentencing rules or a recommendation from the Bureau of Prisons, modification of a defendant's sentence is permitted by Fed.R.Crim.Pr. 35 only upon motion after a remand following appeal, on the government's motion, or to correct a clear error in the sentence itself, within seven days of the sentencing. *United States v. Clark*, 8 F.Supp. 560 (W.D. Va. 1998). None of these conditions is applicable here.

IT IS ACCORDINGLY ORDERED this 27<sup>th</sup> day of June, 2006, that the defendant's Motion to Change (Dkt. No. 192) is hereby denied.

s/ J. Thomas Marten  
J. THOMAS MARTEN, JUDGE