

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>CRIMINAL ACTION</b>
<b>v.</b>	)	
	)	<b>No. 04-20089-01-KHV</b>
<b>MONTGOMERY CARL AKERS,</b>	)	
	)	
<b>Defendant.</b>	)	

**MEMORANDUM AND ORDER**

On November 20, 2006, the Court sentenced defendant to 327 months in prison. This matter is before the Court on defendant's pro se Motion For Reconsideration Of The Court's Memorandum And Order Of March 6, 2024 (Doc. #581) filed March 22, 2024. For substantially the reasons stated in the Court's Memorandum And Order (Doc. #579) filed March 6, 2024, Amendment 821 does not change defendant's guideline range. The Court therefore overrules defendant's motion to reconsider.<sup>1</sup>

**IT IS THEREFORE ORDERED** that defendant's pro se Motion For Reconsideration Of The Court's Memorandum And Order Of March 6, 2024 (Doc. #581) filed March 22, 2024 is **OVERRULED**.

Dated this 19th day of April, 2024 at Kansas City, Kansas.

s/ Kathryn H. Vratil  
KATHRYN H. VRATIL  
United States District Judge

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<sup>1</sup> To the extent that defendant argues that the Court did not correctly calculate his original guideline range, he must raise any such challenge in a successive motion to vacate his sentence under 28 U.S.C. § 2255, *if and only after* the Tenth Circuit Court of Appeals grants him leave to file such a motion.