

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

United States of America,

Plaintiff,

v.

Case No. 05-20067-01-JWL

Dheadry L. Powell,

Defendant.

MEMORANDUM & ORDER

In 2005, defendant Dheadry Powell pleaded guilty to one count of conspiracy to distribute and possession with intent to distribute 50 grams or more of crack cocaine in violation of 21 U.S.C. §§ 841(b)(1)(A) and 846 and one count of money laundering in violation of 18 U.S.C. § 1956(h). This matter is now before the court on another motion seeking a reduced sentence in which defendant reiterates the same argument that the court—and the Circuit—has already rejected. Specifically, defendant seeks a reduction under 18 U.S.C. § 3582(c)(2) (doc. 239) on the grounds that Amendments 750 and 782 lower the Guidelines range for his crack cocaine offense. The motion is denied because the Circuit has already affirmed the recalculation of defendant’s base offense level under the amended Guidelines and the law-of-the-case doctrine precludes the court from considering the argument set forth in the motion. *See United States v. Powell*, 842 Fed. Appx. 281, 285-86 (10th Cir. Jan. 15, 2021) (district court properly applied law of the case doctrine to deny Powell’s motion for resentencing based on Amendments 750 and 782).

IT IS THEREFORE ORDERED BY THE COURT THAT Mr. Powell's motion for a sentence reduction (doc. 239) is denied.

IT IS SO ORDERED.

Dated this 14th day of February, 2022, at Kansas City, Kansas.

s/ John W. Lungstrum _____
John W. Lungstrum
United States District Judge