

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 06-10111-01-WEB
)	
WILLIAM A. WILHITE,)	
)	
Defendant.)	
_____)	

Order

This matter came before the court on the defendant's objection to the Presentence Report. Defendant objected to the Report's application of a 5-level enhancement under USSG 2G2.2(b)(3)(B), arguing that the 2-level enhancement of 2G2.2(b)(3)(F) should apply instead. At the sentencing hearing of December 1, 2006, counsel for the Government conceded the objection.

Accordingly, defendant's objection to the Presentence Report is SUSTAINED. The court finds the defendant's corrected total offense level is 36 instead of 39, and the applicable advisory guideline range is 188-235 months. The Probation Officer in charge of this case shall see that a copy of this order is appended to any copy of the Presentence Report made available to the Bureau of Prisons. IT IS SO ORDERED this 1st Day of December, 2006, at Wichita, Ks.

s/Wesley E. Brown

Wesley E. Brown
U.S. Senior District Judge