

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

United States of America,

Plaintiff,

v.

Case No. 06-20021-12-JWL

Alberto Perez-Jacome,

Defendant.

MEMORANDUM & ORDER

In May 2006, Mr. Perez-Jacome was indicted for various drug crimes and ultimately was convicted of multiple drug offenses. He was sentenced to 132 months' imprisonment. Mr. Perez-Jacome appealed his conviction to the Tenth Circuit and his conviction was affirmed in December 2009. Mr. Perez-Jacome subsequently filed a motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255, challenging his conviction and sentence on various grounds. The court denied that motion in August 2011. This matter is presently before the court on Mr. Perez-Jacome's motion for early release pursuant to 18 U.S.C. § 3624 (doc. 728).

In his motion, Mr. Perez-Jacome asserts that he is entitled to early and immediate release pursuant to the Federal Prison Bureau Nonviolent Offenders Relief Act of 2013 which, according to Mr. Perez-Jacome, amended 18 U.S.C. § 3624 to provide for early release of certain qualifying individuals. The motion is denied. Although the Federal Prison Bureau Nonviolent Offender Relief Act has been introduced, such legislation has not been enacted and 18 U.S.C. § 3624 has not been amended to include the language relied upon by Mr. Perez-

Jacome. Accordingly, the court lacks the authority to grant the relief requested by Mr. Perez-Jacome.

IT IS THEREFORE ORDERED BY THE COURT THAT Mr. Perez-Jacome's motion for early release (doc. 728) is **denied**.

IT IS SO ORDERED.

Dated this 30th day of April, 2014, at Kansas City, Kansas.

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