

**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. 07-20122-03-KHV</b>
<b>RANDY LUCERO,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**ORDER**

This matter is before the Court on defendant's letter (Doc. #204) filed January 8, 2016, which the Court construes as a motion to reduce sentence under 18 U.S.C. § 3582(c)(2). On December 14, 2009, the Court sentenced defendant to 324 months in prison. Defendant seeks relief under Amendment 782 to the United States Sentencing Guidelines ("U.S.S.G."), which lowered the base offense levels for certain quantities in the Drug Quantity Table at U.S.S.G. § 2D1.1. Defendant is not eligible for relief under Amendment 782 because his offense level remains the same under the amended guidelines. In particular, defendant's base offense level remains level 38 because the Court attributes at least 11.62 kilograms of "ice" methamphetamine and at least 68 kilograms of methamphetamine to him. Presentence Investigation Report (Doc. #154) ¶ 57; see U.S.S.G. § 2D1.1(c)(1) (Nov. 1, 2015) (base offense level of 38 for 4.5 kilograms or more of "ice" methamphetamine or 45 kilograms or more of methamphetamine). Accordingly, the Court overrules defendant's motion.

**IT IS THEREFORE ORDERED** that defendant's letter (Doc. #204) filed January 8, 2016, which the Court construes as a motion to reduce sentence under 18 U.S.C. § 3582(c)(2), be and hereby is **OVERRULED**.

Dated this 19th day of January, 2016 at Kansas City, Kansas.

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