

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 CARVA LEE WHITE,)
)
 Defendant.)
)

Case No. 09-20122

MEMORANDUM AND ORDER

This closed criminal case is before the court on defendant Carva Lee White’s Motion for Emergency Compassionate and Family Emergency Release pursuant to Title 18 U.S.C. §§ 3582(c)(1)(A) and 4205(g).¹ Defendant asks the court to reduce his term of imprisonment because his wife suffers from a serious medical condition and because of his own poor health. Defendant recognizes that this is a request that he must make to the Bureau of Prisons, and that any such request to the court must come from the Bureau of Prisons. Defendant, in fact, attaches his request to the Bureau of Prisons to his motion.

This court cannot grant defendant relief under the statutory provisions cited. As defendant acknowledges, a request under 18 U.S.C. § 3582(c)(1)(A) must come from the Bureau of Prisons. Likewise, 18 U.S.C. § 4205(g) also requires that a request come from the Bureau of Prisons. Because defendant filed the motion on his own behalf, he is not entitled to relief from the court at this time.

IT IS THEREFORE ORDERED that defendant’s Motion for Emergency Compassionate and Family Emergency Release (Doc. 25) is denied.

¹ The document is titled a “Notice,” so it is possible that defendant is merely informing the court of his request to the Bureau of Prisons. The content of the document, however, appears to seek relief from this court, as well as the Bureau of Prisons.

Dated this 12th day of July, 2018, at Kansas City, Kansas.

Carlos Murguia
CARLOS MURGUIA
United States District Judge