

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

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**RADELL BRADFORD,**

**Defendant.**

**Case No. 09-20133-JWL**

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**MEMORANDUM AND ORDER**

On April 25, 2012, the court denied defendant Radell Bradford's Motion for Modification of Sentence on the merits (doc. 1493).

For the reasons set forth in that Memorandum and Order, Ms. Bradford is ineligible for relief pursuant to 18 U.S.C. § 3582(c)(2). As the facts establish that the defendant is ineligible for relief, the court is without jurisdiction to consider a reduction of sentence under § 3582(c). *United States v. Curtis*, 252 Fed. App'x 886, 887 (10th Cir. 2007) (Where the Amendment did not subsequently lower the defendant's Guideline range, the district court has no jurisdiction to consider a modification to his sentence under 18 U.S.C. § 3582(c)(2)). As such, the court's prior Order is amended *nunc pro tunc* to dismiss the defendant's Motion for Modification of Sentence for lack of jurisdiction.

**IT IS THEREFORE ORDERED BY THE COURT** that defendant's Motion for Modification of Sentence (doc. 1400) is dismissed for lack of jurisdiction.

**IT IS SO ORDERED** this 31<sup>st</sup> day of May, 2012.

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