

**In the United States District Court
for the District of Kansas**

United States of America,
Plaintiff,

v.

Case No. 2:09-cr-20151-JAR-1

Michael R. Gaskin
Defendant.

Order Reducing Term of Imprisonment to Time Served

This matter is before the Court on the Defendant's Emergency Motion to Reduce Sentence Under 18 U.S.C. § 3582(c)(1)(A)(i), Doc. 51, filed on March 17, 2021. The government concurs in the request and agrees that, in light of the Court's compassionate-release ruling in Case No 2:17-cr-20052-JAR, a reduction to time served in this case is also appropriate.

In 2017, this Court sentenced Michael Gaskin to 60 months for his conviction for weapons possession by a convicted felon in Case No 2:17-cr-20052-JAR, and a 9-month revocation sentence in this case, to run consecutive. Doc. 49. The Court also imposed a two-year term of supervised release. Doc. 49. On March 16, 2021, the Court granted Mr. Gaskin's motion for compassionate release in Case No 2:17-cr-20052-JAR and ordered his 60-month sentence reduced to time served, Case No 2:17-cr-20052-JAR, Doc. 42.

In this case, the Court has considered the applicable factors set forth in 18 U.S.C. § 3582(c)(1)(A)(i) and 18 U.S.C. § 3553(a) to modify the defendant's term of imprisonment to time served. As this Court has already ruled, Mr. Gaskin suffers from serious health conditions that place him at greater risk of severe disease from COVID-19 including Type 2 diabetes, hypertensive heart disease, and hypertension. He has served 44 months, which is well over half of he combined 69-month sentence. He has a release plan that has been approved by the United States Probation Office. And the Court has already imposed a supervised-release condition of home confinement until July 25, 2022 in Case No. 2:17-cr-20052-JAR, which Mr. Gaskin will be subject to immediately upon his release.

The Court therefore concludes in its discretion that extraordinary and compelling reasons warrant the reduction of the defendant's sentence to time served pursuant to Section 3582(c)(1)(A), and defendant's motion is hereby granted.

IT IS THEREFORE ORDERED by the Court that the Defendant's motion for reduction of sentence pursuant to 18 U.S.C. § 3582, Doc. 51, is hereby GRANTED. The Court reduces Defendant's sentence to time served.

Mr. Gaskin shall begin the previously imposed term of supervised immediately upon his release from the Bureau of Prisons. All previously imposed terms and conditions of supervised release remain in effect.

IT IS SO ORDERED.

Dated: March 17, 2021

S/ Julie A. Robinson
JULIE A. ROBINSON
CHIEF UNITED STATES DISTRICT JUDGE