

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	CRIMINAL ACTION
v.)	
)	No. 10-20001-01-KHV
CHRIS A. ANDERSON,)	
)	
Defendant.)	
_____)	

MEMORANDUM AND ORDER

This matter is before the Court on defendant's Motion For Credit For Prior Custody Pursuant To 18 USCS § 3585(b) And Amended Judgment (Doc. #64) filed May 18, 2015. Defendant argues that the Court should reduce his sentence of imprisonment under 18 U.S.C. § 3585(b) by giving him credit for time in "official detention" when DEA agents monitored him 24 hours per day and kept him on house arrest. Section 3585(b) gives a defendant "credit toward the service of a term of imprisonment for any time he has spent in official detention prior to the date the sentence commences -- (1) as a result of the offense for which the sentence was imposed; or (2) as a result of any other charge for which the defendant was arrested after the commission of the offense for which the sentence was imposed." The Court overrules defendant's argument because a district court is not authorized to compute service credit under 18 U.S.C. § 3585; the Attorney General through the Bureau of Prisons makes credit awards. United States v. Wilson, 503 U.S. 329, 333-35 (1992); United States v. French, 297 F. App'x 333, 334 (5th Cir. 2008); see United States v. Pardue, 363 F.3d 695, 699 (8th Cir. 2004) (although Section 3585(b) calls for defendant to receive credit for time served, calculation of sentence left to BOP and not sentencing court). Before seeking judicial review of credits under Section 3585(b), prisoners must exhaust administrative remedies. See

French, 297 F. App'x at 334; Buchanan v. U.S. Bureau of Prisons, 133 F. App'x 465, 467 (10th Cir. May 18, 2005); see also Sandefur v. Pugh, 189 F.3d 478, 1999 WL 679685, at *1 (10th Cir. Sept. 1, 1999) (federal inmate must exhaust administrative remedies before seeking review of complaints relating to aspects of imprisonment such as computation of sentence).

IT IS THEREFORE ORDERED that defendant's Motion For Credit For Prior Custody Pursuant To 18 USCS § 3585(b) And Amended Judgment (Doc. #64) filed May 18, 2015 be and hereby is **OVERRULED**.

Dated this 22nd day of May, 2015 at Kansas City, Kansas.

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