

**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. 10-20018-01-KHV</b>
	)	
<b>LAMONT T. DRAYTON,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**MEMORANDUM AND ORDER TO SHOW CAUSE**

On March 22, 2011, the Court sentenced defendant to 240 months in prison based on a binding plea agreement under Rule 11(c)(1)(C), Fed. R. Crim. P. The United States Supreme Court recently held that a defendant who pleads guilty under Rule 11(c)(1)(C) may seek relief under Section 3582(c)(2) so long as the defendant’s guideline range was “part of the framework the district court relied on in imposing the sentence or accepting the agreement.” Hughes v. United States, 138 S. Ct. 1765, 1775 (June 4, 2018). On June 25, 2018, defendant filed a pro se Motion To Modify Or Reduce Sentence Pursuant To 18 U.S.C. § 3582(c)(2) (Doc. #135). On July 13, 2018, the Court directed that the Office of the Federal Public Defender enter an appearance to represent defendant in this proceeding. On July 20, 2018, Kirk Redmond, an Assistant Federal Public Defender, entered an appearance for defendant.

As part of the same order which directed the Office of the Federal Public Defender to enter an appearance, the Court ordered that on or before August 10, 2018, defendant file through counsel a supplement to his pro se motion to reduce sentence. See Memorandum And Order (Doc. #136) at 3. Defendant did not file a supplement or any motion to extend by the deadline. On its own motion, the Court extended the deadline for defendant to file a supplement to September 7, 2018.

Defendant did not file a supplement or any motion to extend by the revised deadline.

**IT IS THEREFORE ORDERED that on or before September 21, 2018, the parties shall show cause in writing why the Court should not sustain defendant's pro se Motion To Modify Or Reduce Sentence Pursuant To 18 U.S.C. § 3582(c)(2) (Doc. #135). In doing so, the parties shall address whether defendant is eligible for relief under Section 3582(c)(2) and why relief is appropriate in light of the sentencing factors in Section 3553(a). In addition, the parties shall address (1) the factors that the Court relied on in accepting the recommended sentence in the Rule 11(c)(1)(C) agreement, (2) how defendant's guideline range impacted the Court's decision to accept the Rule 11(c)(1)(C) agreement, (3) any public safety considerations and (4) defendant's post-sentencing conduct.**

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

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