

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 11-50067-JAR
)	
)	
ANTONIO WITHERSPOON,)	
)	
Defendant.)	
_____)	

MEMORANDUM AND ORDER
DENYING DEFENDANT’S MOTION FOR EARLY TERMINATION

This matter is before the Court on Defendant Antonio Witherspoon’s Motion for Early Discharge from Supervised Release (Doc. 2). The Court has thoroughly reviewed the Defendant’s motion and consulted with the United States Probation Officer assigned to supervise Mr. Witherspoon, and for the following reasons, denies the motion.

Defendant was convicted in the Eastern District of Virginia of possession with intent to distribute crack cocaine and possession of a firearm in furtherance of a drug trafficking crime. He was sentenced to a term of 61 months of custody and a five year term of supervised release. Defendant commenced the term of supervised release in January 2009. This Court received jurisdiction of his supervised release in March 2011.

While Mr. Witherspoon as been compliant with his supervision, the United States Probation Officer has explained to him that she would prefer to move him to an intermediate caseload rather than terminate his supervised release. Given this recommendation, the serious

nature of the offense, the length of the term of supervised release and the defendant's unexceptional course of supervision, this Court finds no cause to terminate supervised release at this time.

IT IS THEREFORE ORDERED that the Defendant's motion for early discharge of supervised release is DENIED.

Dated: August 27, 2012

S/ Julie A. Robinson

JULIE A. ROBINSON

UNITED STATES DISTRICT JUDGE