

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

United States,

Plaintiff,

vs.

Case No. 13-10037-03-JTM

Rodolfo Braulio Arena-Pinzon,

Defendants.

MEMORANDUM AND ORDER

This matter is before the court on the defendant Rodolfo Braulio Arena-Pinzon's Motion for Relief from Custody. The defendant's motion is predicated on H.R. 62, the Federal Prison Nonviolent Offender Relief Act of 2013. However, this provision has *not* been adopted as law, it remains only *proposed* legislation. No action has been taken on the proposed Act since it was referred to a House of Representatives Committee on January 13, 2013. This court has authority to modify a final judgment only an appropriate grant of statutory authority. *See United States v. Mendoza*, 118 F.3d 707, 709 (10th Cir. 1997). Because no such authority exists in the present matter, the defendant's Motion for Relief (Dkt. 87) is hereby denied.

IT IS SO ORDERED this 22nd day of July, 2014.

s/ J. Thomas Marten

J. THOMAS MARTEN, JUDGE