

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

MIGUEL ANGEL CORONA-MONJO,

Defendant.

Case No. 13-20125-10-JAR

ORDER

This matter is before the Court on Defendant Miguel Corona-Monjo's *pro se* Motion for Modification and Reduction of Sentence Pursuant to 18 U.S.C. § 3582(c) and Amendment 782 to the Sentencing Guidelines (Doc. 509). The Court has reviewed Defendant's motion and the underlying proceedings and, as explained below, denies the relief requested.

On August 5, 2016, the Court sentenced Defendant to 84 months' imprisonment, pursuant to the November 1, 2014 United States Sentencing Guidelines manual.¹ The sentence was outside the calculated Guidelines range of 210–262 months, based upon the Government's motion to reduce Defendant's sentence to reflect his substantial assistance as set forth at 18 U.S.C. § 3553(e) and U.S.S.G. § 5K1.1,² as well as a departure under § 5K3.1, as set forth in Section 5(e) of the Plea Agreement.³ Accordingly, Defendant's sentence was not "based on a sentencing range that has subsequently been lowered by the Sentencing Commission."⁴ Pursuant

¹See Presentence Investigation Report, Doc. 307 at 14; Judgment, Doc. 489; SOR, Doc. 490.

²Doc. 486.

³Doc. 176.

⁴18 U.S.C. § 3582(c)(2); *see also United States v. White*, 765 F.3d 1240, 1246 (10th Cir. 2014).

to U.S.S.G. § 1B1.10(b)(2)(A), Defendant is not eligible for further relief, and the Court dismisses his motion for lack of jurisdiction.

IT IS THEREFORE ORDERED BY THE COURT that Defendant's Motion for Modification and Reduction of Sentence (Doc. 509) is **dismissed** for lack of jurisdiction.

IT IS SO ORDERED.

Dated: January 24, 2017

S/ Julie A. Robinson

JULIE A. ROBINSON

UNITED STATES DISTRICT JUDGE