

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

United States of America,
Plaintiff,

vs.

Case No. 14-10072-6-JTM

Michael Carter,
Defendant.

MEMORANDUM AND ORDER

This matter is before the court on defendant Michael Carter's Motion to Reduce Sentence (Dkt. 164). He seeks a reduction of his sentence for medical reasons, and because his wife is experiencing unspecified financial difficulties. However, the court entered judgment in the case (Dkt. 141) six months before Carter's motion. The government has not sought to reduce Carter's sentence based on the provision of substantial assistance, and Fed.R.Crim.Pr. 35 otherwise requires that motions to correct or reduce a sentence be filed within 14 days of sentencing. In addition, Rule 35 does not authorize a court to reduce a sentence for reasons of ill health. *See United States v. Graziano*, No. 92-426-01, 1995 WL 753855, at *1 (E.D.Pa. Dec.13, 1995) (court lacks authority to reduce a sentence due to medical hardship outside the parameters of Rule 35).

IT IS ACCORDINGLY ORDERED this 26th day of May, 2016 that the defendant's Motion for Reduction (Dkt. 164) is denied.

s/ J. Thomas Marten
J. THOMAS MARTEN, JUDGE