

Court Upholds District Court Judge s Explanation For A Sentencing Modification

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A criminal drug offender was originally sentenced to 135 months imprisonment after the Sentencing Guidelines provided a range of 135 to 168 months. The U.S. Sentencing Commission thereafter revised the range for the same crime to 108 to 135 months. The defendant moved the district court to modify his sentence accordingly. The judge lowered the sentence to 114 months, not 108, after checking a couple boxes on a form indicating the judge had considered the request and tak[en] into account] relevant factors and the Guidelines. The defendant appealed on the basis that the sentence was modifying without sufficient explanation as required by statute. The Tenth Circuit denied relief, and the Court, in a 5-3 opinion by Justice Breyer (Justice Gorsuch recused), affirmed, holding that the information provided by the form was adequate, and there was not much else for the judge to say. Justice Kennedy, joined by Justices Sotomayor and Kagan, dissented, arguing that the form did not provide sufficient information to permit meaningful appellate review, and that if the form merely included a few more categories covering the factors most often bearing on a trial court s sentencing determination, the objections petitioner raises likely would be met. A link to the opinion in *Chavez-Meza v. United States* is [here](#).

TAGGED: [scotus](#), [Sentencing Guidelines](#), [Sentencing Modification](#), [Chavez-Meza v. United States](#)