

FOR PUBLICATION

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	Criminal No. 2006-21
v.	)	
	)	
RONALD JULIEN,	)	
	)	
Defendant.	)	
_____	)	

ATTORNEYS:

Alphonso G. Andrews, Jr., AUSA
St. Croix, U.S.V.I.
For the plaintiff.

Martial A. Webster, Esq.
St. Croix, U.S.V.I.
For the defendant.

ORDER

GÓMEZ, C.J.

Before the Court is the motion of the defendant, Ronald Julien ("Julien"), to reduce his sentence pursuant to 18 U.S.C. 3582(c)(2). The Court has reviewed the record in this matter and finds as follows:

1. Julien was convicted of aiding and abetting another in knowingly and intentionally possessing cocaine base with the intent to distribute, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2.

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2. Under the advisory sentencing guidelines, Julien had a total offense level of 26 and a criminal history category of I. The Court departed downward from the guidelines by two points pursuant to U.S.S.G. § 5C1.2 and two points for Julien's acceptance of guilt. Those departures brought Julien's offense level to 22, resulting in a guideline range of imprisonment of forty-one to fifty-one months. The Court sentenced Julien to forty-one months of imprisonment.
3. Effective November 1, 2007, the Sentencing Commission adopted Amendments 706 and 711, which amended Section 2D1.1 of the guidelines with regard to the offense levels applied to many cocaine base offenses. On December 11, 2007, in Amendment 712, the Sentencing Commission decreed that Amendments 706 and 711 apply retroactively, effective March 3, 2008. The Commission implemented this decree via Amendment 713, effective March 3, 2008.
4. Under the amended guidelines, Julien has a total offense level of 24. Taking into account the same downward departures the Court considered at Julien's sentencing, Julien's new offense level is 20, resulting in a guideline range of thirty-three to forty-one months of imprisonment.
5. Section 1B1.10 of the guidelines requires the Court to consider the factors listed in 18 U.S.C. § 3553(a) in

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deciding whether a sentence reduction is warranted. The Court has reviewed those factors and finds that they support a reduction of Julien's sentence.

The premises considered, it is hereby

ORDERED that Julien's term of imprisonment is reduced to a total term of thirty-three months, with all other terms and conditions of the original sentence to remain the same; and it is further

ORDERED that Julien's request for a hearing on his motion is **DENIED**.

S_____
CURTIS V. GÓMEZ
Chief Judge