

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA,)	
)	
)	
v.)	
)	CRIMINAL No. 2:11-CR-113-DBH
SHAWN SAYER,)	
)	
DEFENDANT)	

**ORDER ON DEFENDANT’S MOTION TO CORRECT SENTENCE
AND RETURN PROPERTY**

The defendant is unhappy with how the Bureau of Prisons has calculated the running of his federal sentence and also the government’s failure to return his property. Def.’s Mots. to Correct Sentence and for Return of Property (ECF No. 156). With respect to his property, the government has responded that “his property is ready to be returned to his family,” that the defendant’s counsel has been notified accordingly, and “arrangements are being made for a family member to retrieve the property.” Gov’t Response to Def.’s Mots. to Correct Sentence and Return Property at 2 (ECF No. 159). The defendant has not challenged these assertions and I therefore treat the issue of returning his property as **MOOT**. With respect to calculation of how his sentence should run, that is a matter for the Bureau of Prisons, United States v. Wilson, 503 U.S. 329, 335-36 (1992), and any review of its decision is under 28 U.S.C. § 2241 in the District where he is confined, which is not in Maine. United States v. Barrett, 178 F.3d 34, 50 n.10 (1st Cir. 1999). Therefore I have no jurisdiction over his request. Accordingly the defendant’s motion is **DENIED**, but without prejudice to his pursuing the matter elsewhere.

So ORDERED.

DATED THIS 2ND DAY OF JUNE, 2014

/s/D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE (PORTLAND)
CRIMINAL DOCKET No. 2:11-CR-113-DBH**

United States of America

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v.

**Shawn Sayer,
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