

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA,)	
)	
)	
v.)	
)	Docket no. 04-cr-08-P-S
CURTIS THURMAN,)	
)	
)	
Defendant.)	
)	

ORDER DENYING REQUEST FOR SENTENCE REDUCTION

Before the Court is a letter from the Defendant, dated January 23, 2008 (Docket # 277), which this Court has docketed and treated as a motion to appoint counsel and a motion to reduce sentence. Via this submission, the Defendant ultimately seeks a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) and the recent amendments to the Sentencing Guidelines related to crack cocaine. The Government has filed its objection (Docket # 278). After reviewing the file, the Court has determined that this Defendant was sentenced to 120 months because that is mandatory minimum sentence allowed under 21 U.S.C. § 841(b)(1)(A). Because this sentence is required by statute, the Court may not reduce the sentence even if the amended Guidelines would yield a lower Guideline range.

For this reason, the Court hereby DENIES Defendant's Motion.

SO ORDERED.

/s/ George Z. Singal
Chief U.S. District Judge

Dated this 31st day of January, 2008.

Defendant (1)

CURTIS MARTIN THURMAN
TERMINATED: 09/01/2004

represented by **JAMES R. BUSHELL**
P. O. BOX 7485
PORTLAND, ME 04112
871-0036
Email: bushellj@maine.rr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

NARCOTICS - SELL,
DISTRIBUTE, OR DISPENSE:
Possession with intent to distribute
50 grams or more of a substance
containing cocaine base and aiding
and abetting such conduct, in
violation of 21:841(a)(1) and 18:2.
(1)

NARCOTICS - SELL,
DISTRIBUTE, OR DISPENSE:
Conspiracy to Distribute and
possess with intent to distribute 50
grams or more of a substance
containing cocaine base, in
violation of 21:846 and 841(a)(1).
(1s)

NARCOTICS - SELL,
DISTRIBUTE, OR DISPENSE:
Possession with Intent to
Distribute 50 grams or more of a
substance containing cocaine base
and aiding and abetting such
conduct, in violation of
21:841(a)(1) and 18:2.
(2s)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

One Hundred and Twenty Months
Imprisonment on Count One to be
served concurrently to Count Two.
Five years Supervised Release on
Count One, to be served
concurrently to Count Two. .00
Special Assessment.

One Hundred and Twenty Months
Imprisonment on Count Two to be
served concurrently to Count One.
Five years Supervised Release on
Count Two, to be served
concurrently to Count One. .00
Special Assessment.

Disposition

Highest Offense Level
(Terminated)

None

Complaints

21:841A=ND.F possession
w/intent to distribute 50 grams or
more of cocaine base and aiding &
abetting such conduct,
21:841(a)(1), 18:2

Disposition

Assigned to: JUDGE GENE
CARTER

Appeals court case number: '05-
2705' 'Boston'

Defendant (2)

WILLARD JOHN ALLEN
TERMINATED: 10/26/2005

represented by **WILLARD JOHN ALLEN**
04443-036
FCI OTISVILLE
P.O. BOX 1000
OTISVILLE, NY 10963
PRO SE

JEFFREY W. LANGHOLTZ
260 MAIN STREET
BIDDEFORD, ME 04005
283-4744
Email: langholtz@gwi.net
TERMINATED: 01/12/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

PETER E. RODWAY
RODWAY & HORODYSKI
30 CITY CENTER
PORTLAND, ME 04104
773-8449
Email: rodlaw@maine.rr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pending Counts

NARCOTICS - SELL,
DISTRIBUTE, OR DISPENSE:
Possession with intent to distribute
50 grams or more of a substance
containing cocaine base and aiding
and abetting such conduct, in
violation of 21:841(a)(1) and 18:2.
(1)

NARCOTICS - SELL,
DISTRIBUTE, OR DISPENSE:
Conspiracy to Distribute and
possess with intent to distribute 50
grams or more of a substance
containing cocaine base, in
violation of 21:846 and 841(a)(1).
(1s)

NARCOTICS - SELL,
DISTRIBUTE, OR DISPENSE-
Conspiracy to distribute and
possess with intent to distribute 50
grams or more of a substance
containing cocaine base
(1ss)

NARCOTICS - SELL,
DISTRIBUTE, OR DISPENSE:
Possession with Intent to
Distribute 50 grams or more of a
substance containing cocaine base
and aiding and abetting such
conduct, in violation of
21:841(a)(1) and 18:2.
(2s)

NARCOTICS - SELL,
DISTRIBUTE, OR DISPENSE-
Possession with intent to distribute
50 grams or more of a substance
containing cocaine base, and
aiding and abetting
(2ss)

Disposition

Imprisoned for a term of 360
months; Five years Supervised
Release;and, Special Assessment
of \$200

Imprisoned for a term of 360
months; Five years Supervised
Release;and, Special Assessment
of \$200

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

21:841A=ND.F possession
w/intent to distribute 50 grams or
more of cocaine base and aiding &
abetting such conduct,
21:841(a)(1), 18:2

Disposition

Witness

PATRICIA POULIN
TERMINATED: 11/12/2004

represented by **JAMES S. HEWES**
80 EXCHANGE STREET
SUITE 400
PORTLAND, ME 04101
773-4000
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Designation: CJA Appointment

Material Witness

GERALD A MORRISETTE
TERMINATED: 11/04/2004

represented by **JOHN E. GEARY**
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207-782-4433
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TERMINATED: 11/04/2004
LEAD ATTORNEY
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Designation: CJA Appointment

Material Witness

JEFFREY DILLINGHAM
TERMINATED: 11/04/2004

represented by **JOHN E. GEARY**
(See above for address)
TERMINATED: 11/04/2004
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Plaintiff

USA

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