

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with
Fed. R. App. P. 32.1

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted June 4, 2012¹

Decided June 18, 2012

Before

WILLIAM J. BAUER, *Circuit Judge*

JOEL M. FLAUM, *Circuit Judge*

DIANE P. WOOD, *Circuit Judge*

No. 12-1371

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

TERRENCE WASHINGTON,
Defendant-Appellant.

Appeal from the United States District
Court for the Central District of Illinois.

No. 02-20049

Michael P. McCuskey,
Judge.

ORDER

In 2002, Terrence Washington pleaded guilty to possession of 500 grams or more of cocaine with intent to distribute. The district court calculated his offense level to be 38

¹ This appeal has been determined to be successive pursuant to Seventh Circuit Internal Operating Procedure 6(b). After examining the briefs and record, we have concluded that oral argument is unnecessary. Thus, the appeal is submitted on the briefs and record. See FED. R. APP. P. 34(a)(2)(C).

under USSG § 2D1.1 and sentenced Washington to 420 months' imprisonment. In 2008, Washington filed a motion to modify his sentence pursuant to 18 U.S.C. § 3582(c)(2) on the basis of Amendment 706 to the Sentencing Guidelines. The district court agreed that Amendment 706 lowered Washington's offense level by two, to 36, and resentenced him to 364 months' imprisonment. Washington appealed on the ground that the court should have reduced the sentence even more. But because § 3582(c)(2) does not authorize the district court to conduct a full resentencing, we affirmed. No. 08-3648 (Apr. 3, 2009).

Washington has again filed a motion to reduce his sentence under § 3582(c)(2), this time relying on Amendment 750 to the Sentencing Guidelines. But as the district court concluded, Washington's offense level calculation under Amendment 750 is still 36. He is thus not eligible for any further reduction in his sentence.

Accordingly, the judgment of the district court denying Washington's motion for a reduced sentence is AFFIRMED.