

**NONPRECEDENTIAL DISPOSITION**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 May 9, 2025\*

Decided May 9, 2025

**Before**

MICHAEL Y. SCUDDER, *Circuit Judge*

AMY J. ST. EVE, *Circuit Judge*

JOSHUA P. KOLAR, *Circuit Judge*

No. 24-2402

UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*

*v.*

CHARLES A. HEWITT,  
*Defendant-Appellant.*

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

No. 1:18-cr-10059

Joe Billy McDade,  
*Judge.*

**ORDER**

Charles Hewitt, a federal prisoner, appeals the denial of two post-judgment motions in his criminal case contesting how the Bureau of Prisons collects his restitution payments. The district court concluded that Hewitt's motions merely rehashed arguments that we had rejected in an earlier appeal. We affirm.

---

\* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

Hewitt, who is currently serving a 420-month sentence for sex offenses, 18 U.S.C. §§ 2422(b), 2260A, owes \$9,000 in restitution. The district court ordered the full amount due immediately and declined to set a restitution payment schedule during Hewitt's incarceration, deferring instead to the Bureau. *See* 28 C.F.R. §§ 545.10–11 (detailing the Bureau's obligations under the Inmate Financial Responsibility Program).

In August 2022, over two years after sentencing, Hewitt moved to reduce his monthly restitution payments during his incarceration. *See* 18 U.S.C. §§ 3664(k), 3572(d). He also argued that the Bureau lacked authority to set a repayment schedule, insisting that federal law grants that authority only to the district court. The court refused to set a payment schedule during Hewitt's incarceration, again deferring to the Bureau's discretion. We later affirmed that decision, concluding that the Bureau can (and should) set the payment schedule during Hewitt's incarceration. *United States v. Hewitt*, No. 22-2876, 2023 WL 4102999, at \*2 (7th Cir. June 21, 2023).

In July 2024, Hewitt filed the two motions at issue in this appeal. He contended that the Bureau was taking more of his prison paycheck than allowed under the repayment schedule it set, and he sought to enjoin the Bureau from collecting any further payments until the dispute was resolved. He also repeated the argument raised in his earlier appeal that the Bureau lacked authority to set a repayment schedule.

The district court denied both motions. The court understood the motions to seek reconsideration of its prior decision not to interfere with the Bureau's administration of Hewitt's restitution payment schedule. The court concluded, however, that Hewitt merely disagreed with its prior reasoning, which was insufficient to justify relief. The court further explained that Hewitt could not obtain injunctive relief against the Bureau because he was unlikely to succeed on the merits of his underlying claim given the failure of his previous appeal, and that any injuries he sustained were not irreparable.

Hewitt appeals, but his arguments have shifted. Instead of arguing that the Bureau collects too much of his paycheck, he now asserts that the district court imposed an excessive amount of restitution at sentencing. But this argument is waived because he did not raise it in the district court. *Bradley v. Village of University Park*, 59 F.4th 887, 897 (7th Cir. 2023). We thus consider only his remaining argument that the Bureau lacks authority to set a repayment schedule or collect payments because that power is reserved for the court.

This argument fails. One problem is that we rejected this exact argument in Hewitt's earlier appeal. *Hewitt*, 2023 WL 4102999, at \*2. And there is a "longstanding

rule” that “legal rulings rendered at one stage of a lawsuit should not, as a general matter, be reexamined in subsequent stages.” *Lickers v. United States*, 98 F.4th 847, 855 (7th Cir. 2024) (citations omitted). But even if we were to consider his argument anew, the result would not change. We held in *United States v. Sawyer*, 521 F.3d 792 (7th Cir. 2008), that the Bureau—not the district court—should set the restitution payment schedule while a defendant is incarcerated. *Id.* at 795–96. Hewitt says that the Supreme Court’s decision in *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024), requires us to revisit our holding, but we see no basis for that contention. *Loper Bright* held that courts “may not defer to an agency interpretation of the law simply because a statute is ambiguous.” *Id.* at 412–13. But the Inmate Financial Responsibility Program does not depend on the interpretation of an ambiguous statute. *See Sawyer*, 521 F.3d at 794–96.

AFFIRMED