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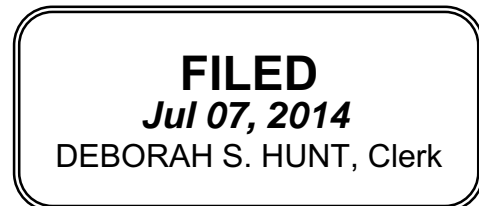
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Case No. 13-5167

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Jul 07, 2014
DEBORAH S. HUNT, Clerk

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff-Appellee,	)	
	)	ON APPEAL FROM THE UNITED
v.	)	STATES DISTRICT COURT FOR
	)	THE WESTERN DISTRICT OF
TRAVIS LITTLE,	)	KENTUCKY
	)	
Defendant-Appellant.	)	
	)	
	)	

BEFORE: MOORE, SUTTON and ALARCÓN, Circuit Judges. *

SUTTON, Circuit Judge. Travis Little pleaded guilty to possessing around 20 grams of crack cocaine, and in February 2008, the district court sentenced him to serve five years in prison for that offense—the statutory minimum sentence at the time—on top of five years for a related firearms charge. Two years later, Congress eliminated the statutory minimum for Little's crack-cocaine offense in the Fair Sentencing Act of 2010. Little sought to take advantage of the change by requesting a sentence reduction under 18 U.S.C. § 3582(c)(2) in district court, but to no avail. He now presses his claim for relief under § 3582(c)(2) on appeal.

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* The Honorable Arthur L. Alarcón, Senior Circuit Judge of the United States Court of Appeals for the Ninth Circuit, sitting by designation.

Case No. 13-5167
United States v. Little

While Little's appeal was pending, our court decided United States v. Blewett, 746 F.3d 647 (6th Cir. 2013) (en banc). Unfortunately for Little, this decision forecloses all three arguments he presses on appeal: that the Fair Sentencing Act applies retroactively to defendants sentenced before its passage; that denying Little a sentence reduction violates the Equal Protection Clause; and that Little's sentence violates the Eighth Amendment's prohibition against cruel and unusual punishment. Id. at 650–60. Little recognizes that Blewett binds this panel and dictates affirmance. He wishes only to preserve these arguments for review by a higher tribunal, as he is entitled to do.

For these reasons, we affirm.