

NONPRECEDENTIAL DISPOSITION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 September 24, 2009

Decided November 12, 2009

Before

WILLIAM J. BAUER, *Circuit Judge*

JOEL M. FLAUM, *Circuit Judge*

DIANE P. WOOD, *Circuit Judge*

UNITED STATES OF AMERICA, Plaintiff-Appellee, No. 09-1349 v. STEPHEN GOLDEN, Defendant-Appellant.] Appeal from the United] States District Court for] the Northern District of] Indiana, Hammond Division.]] No. 2:94-cr-00086-RL-1]] Rudy Lozano, <i>Judge</i> .
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ORDER

A § 3582(c)(2) request for sentence modification is discretionary, *United States v. Cunningham*, 554 F.3d 703, 707 (7th Cir. 2009), even for defendant Stephen Golden whose Guideline range was lowered to 360 months to life from a range of life, and despite Golden's argument to the contrary a district judge is permitted to have a sentence alone which is what the judge did in Golden's case. *Id.* The district judge did not abuse his discretion in handling Golden's § 3582(c)(2) motion. And, like his decision whether to grant a sentence reduction, the district judge's decision not to conduct a hearing is committed to his discretion. *United States v. Young*, 555 F.3d 611, 615 (7th Cir. 2009).

AFFIRMED.