

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 11-3885

United States of America,

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Appellee,

*

v.

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Douglas Marcel Meeks,

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Appellant.

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* Appeal from the United States
* District Court for the
* Southern District of Iowa.

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* [UNPUBLISHED]

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Submitted: April 23, 2012
Filed: May 1, 2012

Before WOLLMAN, MELLOY, and SMITH, Circuit Judges.

PER CURIAM.

Douglas Meeks appeals the district court's¹ order denying his request for a post-judgment sentence reduction. Upon careful review, we conclude that the district court did not abuse its discretion in denying Meeks's request, see United States v. Whiting, 522 F.3d 845, 852-53 (8th Cir. 2008) (standard of review), because Meeks was sentenced before the enactment of the Fair Sentencing Act of 2010 and he received a statutory mandatory minimum sentence, see United States v. Sidney, 648 F.3d 904, 908 (8th Cir. 2011) (statutory mandatory minimums have always trumped

¹The Honorable John A. Jarvey, United States District Judge for the Southern District of Iowa.

Guidelines, even where amended Guidelines would have otherwise called for shorter sentence); United States v. Orr, 636 F.3d 944, 957-58 (8th Cir. 2011) (Fair Sentencing Act did not apply retroactively to defendant who was sentenced before enactment of FSA to mandatory minimum sentence of life under 21 U.S.C. § 841(b)(1)(A)).

Accordingly, we affirm. In addition, we deny Meeks's motion to hold this appeal in abeyance.
