

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION

KENNETH LEROY GREEN,

Petitioner,  
-vs- Case Nos. 5:05-cv-312-Oc-10GRJ  
5:03-cr-72-Oc-10GRJ  
UNITED STATES OF AMERICA,  
Respondent.

**ORDER DENYING PETITION**

The Defendant/Petitioner has made a motion under 28 USC § 2255 seeking a reduction in sentence.

There are two aspects to the motion. First, the Defendant/Petitioner simply seeks a reduction in the term of his commitment on the ground that a lesser sentence "may be more appropriate under the circumstances." The Court has no jurisdiction to grant a reduction of sentence on that basis. The second aspect of the motion suggests that the term of 8 years supervised release is in excess of the maximum term permitted by law. In that respect the motion simply overlooks the Government's pretrial information to establish prior convictions (Doc. 77) which invoked 21 USC § 841(b)(1)(B) providing for a term of supervised release of at least 8 years.

The Petition is DENIED and the Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.

DONE and ORDERED at Ocala, Florida, this 13th day of July, 2005.

*Wm. Renell Hodges*

---

UNITED STATES DISTRICT JUDGE

Copies to: Kenneth Leroy Green, pro se  
Counsel of Record  
Maurya McSheehy