

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SANTIAGO GUTIERREZ-CEJA,

v.

UNITED STATES OF AMERICA.

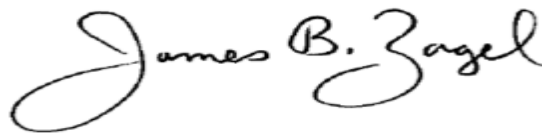
No. 13 C 6768
Judge James B. Zagel

MEMORANDUM OPINION AND ORDER

On May 19, 2011, Defendant Santiago Gutierrez-Ceja was charged by indictment with one count of illegal reentry by a deported alien in violation of Title 8, United States Code, Section 1326(a) and (b)(2), and Title 6, United States Code, Section 202(4). [Dkt. 1, 11 CR 362.] On October 28, 2011, the defendant pleaded guilty to the sole count pursuant to a written plea agreement. [Dkt. 14, 11 CR 362.] Defendant currently seeks a two-level deduction under Amendment 782 of the Sentencing Guidelines. This would be possible if the two-level deduction were related to a prior sentence of a drug trafficking offense, but this is not the case.

Amendment 782 proposed a change to Guidelines §§ 2D1.1 and 2D1.11. Because Defendant was convicted of illegal reentry by a deported alien, Defendant's Sentencing Guidelines calculations were based on Guideline § 2L1.2. Amendment 782 therefore does not apply to his case. Defendant's criminal sentence was final upon completion of direct review of the case by the Seventh Circuit, and I lack jurisdiction to revisit it. Defendant's motion for sentencing reduction is denied.

ENTER:



James B. Zagel
United States District Judge

DATE: September 9, 2015