

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CLYDE NOLEN,

Petitioner,

Case No. 11-13964

v.

Honorable Nancy G. Edmunds

UNITED STATES OF AMERICA,

Respondent.

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**ORDER DENYING PETITIONER'S  
LETTER REQUESTS [14][15]**

This habeas corpus action brought by a Michigan state prisoner was summarily dismissed on November 3, 2011 after the Court found that it could not determine the grounds upon which Petitioner sought relief. (ECF No. 10.) Over ten years later, Petitioner now brings a letter request to reopen this case. (ECF No. 15.) But it is still unclear upon which grounds Petitioner seeks relief. Petitioner has also filed a letter requesting a sentence reduction due to “extraordinary and compelling reasons” as a result of an alleged sentencing disparity. (ECF No. 14.) Because Petitioner is serving a state sentence, however, 18 U.S.C. § 3582(c)(1)(A), which gives a federal court the authority to reduce a term of imprisonment it has imposed “if it finds that extraordinary and compelling reasons warrant such a reduction,” is inapplicable. And a sentencing disparity

is generally not a basis for habeas relief. See, e.g., *Getsy v. Mitchell*, 495 F.3d 295, 305-06 (6th Cir. 2007). For the foregoing reasons, Petitioner's letter requests are DENIED.<sup>1</sup>

SO ORDERED.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: November 30, 2021

I hereby certify that a copy of the foregoing document was served upon counsel of record on November 30, 2021, by electronic and/or ordinary mail.

s/Lisa Bartlett  
Case Manager

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<sup>1</sup> Because Petitioner's habeas corpus action was dismissed without prejudice, neither the Court's original order nor this order prevents Petitioner from filing a new petition seeking habeas relief.