

Table 62

**TYPE OF RESENTENCING OR OTHER MODIFICATION OF SENTENCE
BY EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2008**

CIRCUIT	Total	Substantial Assistance Federal R.Crim.P. 35(b)		Restitution Order Modification 18 U.S.C. § 3664		Remand By Circuit Court 18 U.S.C. § 3742(f)(1)/(2)		District Court Motion 18 U.S.C. § 3559(c)(7)		District Court Motion 28 U.S.C. § 2255		Compelling Reasons Modification 18 U.S.C. § 3582 (c)(1)		Retroactive Amendment Modification 18 U.S.C. § 3582 (c)(2)		Unknown Type Of Resentencing	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	14,371	1,709	11.9	223	1.6	851	5.9	1	0.0	90	0.6	22	0.2	11,412	79.4	63	0.4
D.C. CIRCUIT	176	4	2.3	1	0.6	19	10.8	0	0.0	0	0.0	0	0.0	150	85.2	2	1.1
District of Columbia	176	4	2.3	1	0.6	19	10.8	0	0.0	0	0.0	0	0.0	150	85.2	2	1.1
FIRST CIRCUIT	365	21	5.8	5	1.4	32	8.8	0	0.0	6	1.6	0	0.0	298	81.6	3	0.8
Maine	68	6	8.8	1	1.5	2	2.9	0	0.0	0	0.0	0	0.0	59	86.8	0	0.0
Massachusetts	122	7	5.7	4	3.3	13	10.7	0	0.0	3	2.5	0	0.0	92	75.4	3	2.5
New Hampshire	51	2	3.9	0	0.0	1	2.0	0	0.0	2	3.9	0	0.0	46	90.2	0	0.0
Puerto Rico	84	6	7.1	0	0.0	15	17.9	0	0.0	1	1.2	0	0.0	62	73.8	0	0.0
Rhode Island	40	0	0.0	0	0.0	1	2.5	0	0.0	0	0.0	0	0.0	39	97.5	0	0.0
SECOND CIRCUIT	672	26	3.9	31	4.6	65	9.7	1	0.1	6	0.9	3	0.4	537	79.9	3	0.4
Connecticut	143	1	0.7	0	0.0	3	2.1	0	0.0	0	0.0	0	0.0	139	97.2	0	0.0
New York																	
Eastern	99	7	7.1	5	5.1	20	20.2	0	0.0	2	2.0	0	0.0	62	62.6	3	3.0
Northern	134	7	5.2	5	3.7	11	8.2	0	0.0	2	1.5	0	0.0	109	81.3	0	0.0
Southern	158	4	2.5	19	12.0	19	12.0	1	0.6	2	1.3	3	1.9	110	69.6	0	0.0
Western	114	7	6.1	1	0.9	12	10.5	0	0.0	0	0.0	0	0.0	94	82.5	0	0.0
Vermont	24	0	0.0	1	4.2	0	0.0	0	0.0	0	0.0	0	0.0	23	95.8	0	0.0
THIRD CIRCUIT	636	49	7.7	9	1.4	50	7.9	0	0.0	1	0.2	0	0.0	523	82.2	4	0.6
Delaware	14	0	0.0	1	7.1	0	0.0	0	0.0	0	0.0	0	0.0	13	92.9	0	0.0
New Jersey	95	5	5.3	4	4.2	13	13.7	0	0.0	0	0.0	0	0.0	72	75.8	1	1.1
Pennsylvania																	
Eastern	225	16	7.1	0	0.0	20	8.9	0	0.0	1	0.4	0	0.0	187	83.1	1	0.4
Middle	191	6	3.1	3	1.6	8	4.2	0	0.0	0	0.0	0	0.0	174	91.1	0	0.0
Western	104	22	21.2	1	1.0	6	5.8	0	0.0	0	0.0	0	0.0	73	70.2	2	1.9
Virgin Islands	7	0	0.0	0	0.0	3	42.9	0	0.0	0	0.0	0	0.0	4	57.1	0	0.0
FOURTH CIRCUIT	3,125	379	12.1	18	0.6	89	2.8	0	0.0	14	0.4	3	0.1	2,620	83.8	2	0.1
Maryland	165	12	7.3	2	1.2	11	6.7	0	0.0	1	0.6	1	0.6	137	83.0	1	0.6
North Carolina																	
Eastern	176	25	14.2	0	0.0	9	5.1	0	0.0	0	0.0	0	0.0	142	80.7	0	0.0
Middle	74	5	6.8	1	1.4	9	12.2	0	0.0	0	0.0	0	0.0	59	79.7	0	0.0
Western	173	14	8.1	4	2.3	11	6.4	0	0.0	3	1.7	0	0.0	141	81.5	0	0.0
South Carolina	688	83	12.1	5	0.7	18	2.6	0	0.0	2	0.3	2	0.3	578	84.0	0	0.0
Virginia																	
Eastern	858	180	21.0	1	0.1	12	1.4	0	0.0	1	0.1	0	0.0	663	77.3	1	0.1
Western	538	32	5.9	1	0.2	6	1.1	0	0.0	1	0.2	0	0.0	498	92.6	0	0.0
West Virginia																	
Northern	246	9	3.7	4	1.6	5	2.0	0	0.0	5	2.0	0	0.0	223	90.7	0	0.0
Southern	207	19	9.2	0	0.0	8	3.9	0	0.0	1	0.5	0	0.0	179	86.5	0	0.0

Table 62 (cont.)

CIRCUIT	Total	Substantial Assistance Federal R.Crim.P. 35(b)		Restitution Order Modification 18 U.S.C. § 3664		Remand By Circuit Court 18 U.S.C. § 3742(f)(1)/(2)		District Court Motion 18 U.S.C. § 3559(c)(7)		District Court Motion 28 U.S.C. § 2255		Compelling Reasons Modification 18 U.S.C. § 3582 (c)(1)		Retroactive Amendment Modification 18 U.S.C. § 3582 (c)(2)		Unknown Type Of Resentencing	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	2,058	155	7.5	15	0.7	120	5.8	0	0.0	7	0.3	2	0.1	1,742	84.6	17	0.8
Louisiana																	
Eastern	176	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	176	100.0	0	0.0
Middle	31	0	0.0	0	0.0	1	3.2	0	0.0	1	3.2	0	0.0	27	87.1	2	6.5
Western	149	12	8.1	2	1.3	8	5.4	0	0.0	0	0.0	0	0.0	127	85.2	0	0.0
Mississippi																	
Northern	64	2	3.1	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	62	96.9	0	0.0
Southern	189	9	4.8	3	1.6	1	0.5	0	0.0	1	0.5	0	0.0	174	92.1	1	0.5
Texas																	
Eastern	363	42	11.6	1	0.3	6	1.7	0	0.0	1	0.3	1	0.3	311	85.7	1	0.3
Northern	262	6	2.3	7	2.7	15	5.7	0	0.0	2	0.8	0	0.0	230	87.8	2	0.8
Southern	367	50	13.6	2	0.5	59	16.1	0	0.0	1	0.3	1	0.3	253	68.9	1	0.3
Western	457	34	7.4	0	0.0	30	6.6	0	0.0	1	0.2	0	0.0	382	83.6	10	2.2
SIXTH CIRCUIT	1,119	118	10.5	17	1.5	80	7.1	0	0.0	9	0.8	3	0.3	885	79.1	7	0.6
Kentucky																	
Eastern	92	8	8.7	4	4.3	8	8.7	0	0.0	1	1.1	1	1.1	69	75.0	1	1.1
Western	60	1	1.7	3	5.0	2	3.3	0	0.0	0	0.0	0	0.0	54	90.0	0	0.0
Michigan																	
Eastern	170	28	16.5	0	0.0	16	9.4	0	0.0	1	0.6	1	0.6	123	72.4	1	0.6
Western	90	26	28.9	3	3.3	13	14.4	0	0.0	2	2.2	0	0.0	46	51.1	0	0.0
Ohio																	
Northern	216	11	5.1	2	0.9	11	5.1	0	0.0	2	0.9	1	0.5	188	87.0	1	0.5
Southern	184	17	9.2	3	1.6	3	1.6	0	0.0	1	0.5	0	0.0	158	85.9	2	1.1
Tennessee																	
Eastern	139	14	10.1	0	0.0	11	7.9	0	0.0	2	1.4	0	0.0	112	80.6	0	0.0
Middle	40	4	10.0	0	0.0	8	20.0	0	0.0	0	0.0	0	0.0	27	67.5	1	2.5
Western	128	9	7.0	2	1.6	8	6.3	0	0.0	0	0.0	0	0.0	108	84.4	1	0.8
SEVENTH CIRCUIT	1,216	245	20.1	14	1.2	60	4.9	0	0.0	4	0.3	0	0.0	891	73.3	2	0.2
Illinois																	
Central	182	59	32.4	1	0.5	1	0.5	0	0.0	0	0.0	0	0.0	120	65.9	1	0.5
Northern	197	6	3.0	4	2.0	31	15.7	0	0.0	2	1.0	0	0.0	154	78.2	0	0.0
Southern	319	106	33.2	3	0.9	3	0.9	0	0.0	0	0.0	0	0.0	207	64.9	0	0.0
Indiana																	
Northern	213	3	1.4	1	0.5	3	1.4	0	0.0	1	0.5	0	0.0	204	95.8	1	0.5
Southern	44	8	18.2	0	0.0	2	4.5	0	0.0	0	0.0	0	0.0	34	77.3	0	0.0
Wisconsin																	
Eastern	139	43	30.9	5	3.6	7	5.0	0	0.0	0	0.0	0	0.0	84	60.4	0	0.0
Western	122	20	16.4	0	0.0	13	10.7	0	0.0	1	0.8	0	0.0	88	72.1	0	0.0
EIGHTH CIRCUIT	1,490	217	14.6	15	1.0	74	5.0	0	0.0	6	0.4	1	0.1	1,171	78.6	6	0.4
Arkansas																	
Eastern	131	26	19.8	1	0.8	5	3.8	0	0.0	3	2.3	0	0.0	96	73.3	0	0.0
Western	55	3	5.5	0	0.0	3	5.5	0	0.0	0	0.0	0	0.0	49	89.1	0	0.0
Iowa																	
Northern	129	22	17.1	1	0.8	14	10.9	0	0.0	1	0.8	0	0.0	90	69.8	1	0.8
Southern	91	3	3.3	0	0.0	8	8.8	0	0.0	0	0.0	0	0.0	80	87.9	0	0.0
Minnesota	155	11	7.1	4	2.6	7	4.5	0	0.0	0	0.0	0	0.0	130	83.9	3	1.9
Missouri																	
Eastern	425	2	0.5	0	0.0	12	2.8	0	0.0	2	0.5	0	0.0	409	96.2	0	0.0
Western	136	8	5.9	0	0.0	11	8.1	0	0.0	0	0.0	0	0.0	116	85.3	1	0.7
Nebraska	327	116	35.5	1	0.3	8	2.4	0	0.0	0	0.0	1	0.3	200	61.2	1	0.3
North Dakota	4	1	25.0	0	0.0	3	75.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
South Dakota	37	25	67.6	8	21.6	3	8.1	0	0.0	0	0.0	0	0.0	1	2.7	0	0.0

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		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	595	34	5.7	68	11.4	141	23.7	0	0.0	12	2.0	8	1.3	324	54.5	8	1.3
Alaska	28	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	28	100.0	0	0.0
Arizona	10	0	0.0	1	10.0	6	60.0	0	0.0	0	0.0	0	0.0	2	20.0	1	10.0
California																	
Central	70	2	2.9	0	0.0	23	32.9	0	0.0	2	2.9	0	0.0	43	61.4	0	0.0
Eastern	108	6	5.6	11	10.2	9	8.3	0	0.0	0	0.0	1	0.9	80	74.1	1	0.9
Northern	51	4	7.8	18	35.3	2	3.9	0	0.0	1	2.0	0	0.0	26	51.0	0	0.0
Southern	57	5	8.8	0	0.0	37	64.9	0	0.0	0	0.0	6	10.5	8	14.0	1	1.8
Guam	2	1	50.0	0	0.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Hawaii	30	1	3.3	0	0.0	2	6.7	0	0.0	1	3.3	0	0.0	24	80.0	2	6.7
Idaho	9	1	11.1	1	11.1	4	44.4	0	0.0	1	11.1	0	0.0	2	22.2	0	0.0
Montana	25	4	16.0	0	0.0	15	60.0	0	0.0	2	8.0	0	0.0	4	16.0	0	0.0
Nevada	50	0	0.0	1	2.0	10	20.0	0	0.0	1	2.0	0	0.0	38	76.0	0	0.0
Northern Mariana Islands	1	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	54	5	9.3	16	29.6	9	16.7	0	0.0	4	7.4	1	1.9	18	33.3	1	1.9
Washington																	
Eastern	29	3	10.3	8	27.6	11	37.9	0	0.0	0	0.0	0	0.0	5	17.2	2	6.9
Western	71	2	2.8	12	16.9	11	15.5	0	0.0	0	0.0	0	0.0	46	64.8	0	0.0
TENTH CIRCUIT	533	90	16.9	7	1.3	49	9.2	0	0.0	8	1.5	0	0.0	374	70.2	5	0.9
Colorado	62	6	9.7	1	1.6	6	9.7	0	0.0	0	0.0	0	0.0	49	79.0	0	0.0
Kansas	196	11	5.6	0	0.0	2	1.0	0	0.0	1	0.5	0	0.0	182	92.9	0	0.0
New Mexico	51	4	7.8	0	0.0	12	23.5	0	0.0	2	3.9	0	0.0	33	64.7	0	0.0
Oklahoma																	
Eastern	20	3	15.0	1	5.0	3	15.0	0	0.0	2	10.0	0	0.0	11	55.0	0	0.0
Northern	36	2	5.6	0	0.0	8	22.2	0	0.0	1	2.8	0	0.0	25	69.4	0	0.0
Western	67	1	1.5	0	0.0	8	11.9	0	0.0	0	0.0	0	0.0	58	86.6	0	0.0
Utah	29	3	10.3	4	13.8	4	13.8	0	0.0	2	6.9	0	0.0	15	51.7	1	3.4
Wyoming	72	60	83.3	1	1.4	6	8.3	0	0.0	0	0.0	0	0.0	1	1.4	4	5.6
ELEVENTH CIRCUIT	2,386	371	15.5	23	1.0	72	3.0	0	0.0	17	0.7	2	0.1	1,897	79.5	4	0.2
Alabama																	
Middle	72	2	2.8	0	0.0	1	1.4	0	0.0	1	1.4	0	0.0	68	94.4	0	0.0
Northern	94	1	1.1	0	0.0	4	4.3	0	0.0	1	1.1	0	0.0	88	93.6	0	0.0
Southern	234	3	1.3	0	0.0	3	1.3	0	0.0	0	0.0	0	0.0	227	97.0	1	0.4
Florida																	
Middle	697	94	13.5	1	0.1	13	1.9	0	0.0	6	0.9	1	0.1	581	83.4	1	0.1
Northern	243	33	13.6	1	0.4	9	3.7	0	0.0	0	0.0	1	0.4	199	81.9	0	0.0
Southern	471	188	39.9	20	4.2	30	6.4	0	0.0	6	1.3	0	0.0	226	48.0	1	0.2
Georgia																	
Middle	322	31	9.6	0	0.0	8	2.5	0	0.0	1	0.3	0	0.0	282	87.6	0	0.0
Northern	70	12	17.1	1	1.4	3	4.3	0	0.0	2	2.9	0	0.0	52	74.3	0	0.0
Southern	183	7	3.8	0	0.0	1	0.5	0	0.0	0	0.0	0	0.0	174	95.1	1	0.5

¹Modification of supervision conditions is a type of resentencing but information was not collected for this type. Descriptions of variables used in this table are provided in Appendix A.