

Table 62

**TYPE OF RESENTENCING OR OTHER MODIFICATION OF SENTENCE
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2016**

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	11,991	1,371	11.4	653	5.4	622	5.2	10	0.1	1,152	9.6	51	0.4	8,015	66.8	117	1.0
D.C. CIRCUIT	30	4	13.3	4	13.3	6	20.0	0	0.0	2	6.7	1	3.3	13	43.3	0	0.0
District of Columbia	30	4	13.3	4	13.3	6	20.0	0	0.0	2	6.7	1	3.3	13	43.3	0	0.0
FIRST CIRCUIT	792	19	2.4	20	2.5	37	4.7	0	0.0	52	6.6	1	0.1	658	83.1	5	0.6
Maine	25	1	4.0	4	16.0	1	4.0	0	0.0	17	68.0	0	0.0	2	8.0	0	0.0
Massachusetts	75	0	0.0	4	5.3	12	16.0	0	0.0	26	34.7	0	0.0	31	41.3	2	2.7
New Hampshire	7	4	57.1	1	14.3	0	0.0	0	0.0	2	28.6	0	0.0	0	0.0	0	0.0
Puerto Rico	666	13	2.0	5	0.8	23	3.5	0	0.0	0	0.0	1	0.2	621	93.2	3	0.5
Rhode Island	19	1	5.3	6	31.6	1	5.3	0	0.0	7	36.8	0	0.0	4	21.1	0	0.0
SECOND CIRCUIT	491	29	5.9	44	9.0	38	7.7	1	0.2	32	6.5	1	0.2	339	69.0	7	1.4
Connecticut	22	1	4.5	0	0.0	3	13.6	0	0.0	4	18.2	0	0.0	12	54.5	2	9.1
New York																	
Eastern	99	4	4.0	12	12.1	11	11.1	0	0.0	9	9.1	1	1.0	59	59.6	3	3.0
Northern	35	5	14.3	6	17.1	6	17.1	0	0.0	1	2.9	0	0.0	17	48.6	0	0.0
Southern	214	7	3.3	21	9.8	13	6.1	0	0.0	8	3.7	0	0.0	163	76.2	2	0.9
Western	104	8	7.7	4	3.8	3	2.9	0	0.0	6	5.8	0	0.0	83	79.8	0	0.0
Vermont	17	4	23.5	1	5.9	2	11.8	1	5.9	4	23.5	0	0.0	5	29.4	0	0.0
THIRD CIRCUIT	251	18	7.2	26	10.4	21	8.4	0	0.0	42	16.7	0	0.0	142	56.6	2	0.8
Delaware	9	0	0.0	2	22.2	1	11.1	0	0.0	2	22.2	0	0.0	4	44.4	0	0.0
New Jersey	67	6	9.0	19	28.4	2	3.0	0	0.0	3	4.5	0	0.0	37	55.2	0	0.0
Pennsylvania																	
Eastern	41	3	7.3	1	2.4	6	14.6	0	0.0	8	19.5	0	0.0	23	56.1	0	0.0
Middle	38	2	5.3	0	0.0	5	13.2	0	0.0	5	13.2	0	0.0	25	65.8	1	2.6
Western	71	7	9.9	4	5.6	7	9.9	0	0.0	24	33.8	0	0.0	28	39.4	1	1.4
Virgin Islands	25	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	25	100.0	0	0.0
FOURTH CIRCUIT	1,992	315	15.8	73	3.7	71	3.6	0	0.0	249	12.5	9	0.5	1,256	63.1	19	1.0
Maryland	166	7	4.2	11	6.6	8	4.8	0	0.0	23	13.9	3	1.8	106	63.9	8	4.8
North Carolina																	
Eastern	337	22	6.5	5	1.5	16	4.7	0	0.0	37	11.0	1	0.3	254	75.4	2	0.6
Middle	277	1	0.4	1	0.4	20	7.2	0	0.0	27	9.7	0	0.0	228	82.3	0	0.0
Western	272	24	8.8	21	7.7	10	3.7	0	0.0	31	11.4	1	0.4	181	66.5	4	1.5
South Carolina	370	97	26.2	15	4.1	9	2.4	0	0.0	110	29.7	1	0.3	136	36.8	2	0.5
Virginia																	
Eastern	430	142	33.0	5	1.2	7	1.6	0	0.0	6	1.4	2	0.5	266	61.9	2	0.5
Western	62	16	25.8	13	21.0	0	0.0	0	0.0	9	14.5	1	1.6	22	35.5	1	1.6
West Virginia																	
Northern	12	2	16.7	2	16.7	1	8.3	0	0.0	4	33.3	0	0.0	3	25.0	0	0.0
Southern	66	4	6.1	0	0.0	0	0.0	0	0.0	2	3.0	0	0.0	60	90.9	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	2,136	148	6.9	50	2.3	78	3.7	1	0.0	18	0.8	3	0.1	1,817	85.1	21	1.0
Louisiana																	
Eastern	73	16	21.9	2	2.7	4	5.5	0	0.0	1	1.4	0	0.0	46	63.0	4	5.5
Middle	39	3	7.7	4	10.3	1	2.6	0	0.0	0	0.0	0	0.0	29	74.4	2	5.1
Western	98	4	4.1	0	0.0	1	1.0	0	0.0	3	3.1	0	0.0	90	91.8	0	0.0
Mississippi																	
Northern	4	0	0.0	0	0.0	1	25.0	0	0.0	1	25.0	0	0.0	2	50.0	0	0.0
Southern	90	0	0.0	6	6.7	0	0.0	0	0.0	0	0.0	0	0.0	84	93.3	0	0.0
Texas																	
Eastern	346	74	21.4	12	3.5	6	1.7	0	0.0	3	0.9	0	0.0	250	72.3	1	0.3
Northern	746	12	1.6	12	1.6	18	2.4	0	0.0	7	0.9	1	0.1	695	93.2	1	0.1
Southern	305	20	6.6	12	3.9	32	10.5	0	0.0	1	0.3	1	0.3	239	78.4	0	0.0
Western	435	19	4.4	2	0.5	15	3.4	1	0.2	2	0.5	1	0.2	382	87.8	13	3.0
SIXTH CIRCUIT	1,198	88	7.3	35	2.9	71	5.9	2	0.2	148	12.4	5	0.4	837	69.9	12	1.0
Kentucky																	
Eastern	104	0	0.0	3	2.9	13	12.5	0	0.0	6	5.8	0	0.0	81	77.9	1	1.0
Western	26	11	42.3	2	7.7	1	3.8	0	0.0	1	3.8	0	0.0	10	38.5	1	3.8
Michigan																	
Eastern	187	15	8.0	14	7.5	13	7.0	0	0.0	22	11.8	1	0.5	121	64.7	1	0.5
Western	207	15	7.2	9	4.3	4	1.9	0	0.0	6	2.9	0	0.0	171	82.6	2	1.0
Ohio																	
Northern	104	3	2.9	1	1.0	18	17.3	2	1.9	44	42.3	2	1.9	34	32.7	0	0.0
Southern	59	16	27.1	1	1.7	2	3.4	0	0.0	10	16.9	1	1.7	28	47.5	1	1.7
Tennessee																	
Eastern	343	17	5.0	2	0.6	11	3.2	0	0.0	34	9.9	1	0.3	278	81.0	0	0.0
Middle	36	0	0.0	1	2.8	4	11.1	0	0.0	3	8.3	0	0.0	28	77.8	0	0.0
Western	132	11	8.3	2	1.5	5	3.8	0	0.0	22	16.7	0	0.0	86	65.2	6	4.5
SEVENTH CIRCUIT	799	200	25.0	23	2.9	65	8.1	0	0.0	57	7.1	6	0.8	441	55.2	7	0.9
Illinois																	
Central	174	63	36.2	5	2.9	8	4.6	0	0.0	5	2.9	1	0.6	92	52.9	0	0.0
Northern	140	13	9.3	7	5.0	24	17.1	0	0.0	1	0.7	0	0.0	95	67.9	0	0.0
Southern	207	91	44.0	3	1.4	9	4.3	0	0.0	4	1.9	2	1.0	97	46.9	1	0.5
Indiana																	
Northern	53	9	17.0	1	1.9	4	7.5	0	0.0	7	13.2	1	1.9	27	50.9	4	7.5
Southern	126	4	3.2	1	0.8	5	4.0	0	0.0	11	8.7	1	0.8	104	82.5	0	0.0
Wisconsin																	
Eastern	83	17	20.5	5	6.0	11	13.3	0	0.0	24	28.9	1	1.2	24	28.9	1	1.2
Western	16	3	18.8	1	6.3	4	25.0	0	0.0	5	31.3	0	0.0	2	12.5	1	6.3
EIGHTH CIRCUIT	959	158	16.5	76	7.9	24	2.5	0	0.0	134	14.0	7	0.7	552	57.6	8	0.8
Arkansas																	
Eastern	32	13	40.6	2	6.3	2	6.3	0	0.0	13	40.6	1	3.1	0	0.0	1	3.1
Western	33	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2	6.1	31	93.9	0	0.0
Iowa																	
Northern	41	30	73.2	1	2.4	2	4.9	0	0.0	3	7.3	0	0.0	5	12.2	0	0.0
Southern	97	10	10.3	7	7.2	3	3.1	0	0.0	17	17.5	1	1.0	59	60.8	0	0.0
Minnesota	152	0	0.0	42	27.6	8	5.3	0	0.0	22	14.5	0	0.0	79	52.0	1	0.7
Missouri																	
Eastern	50	6	12.0	6	12.0	3	6.0	0	0.0	15	30.0	0	0.0	18	36.0	2	4.0
Western	138	5	3.6	3	2.2	5	3.6	0	0.0	48	34.8	2	1.4	74	53.6	1	0.7
Nebraska	249	56	22.5	3	1.2	1	0.4	0	0.0	9	3.6	1	0.4	179	71.9	0	0.0
North Dakota	112	0	0.0	3	2.7	0	0.0	0	0.0	5	4.5	0	0.0	101	90.2	3	2.7
South Dakota	55	38	69.1	9	16.4	0	0.0	0	0.0	2	3.6	0	0.0	6	10.9	0	0.0

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		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	1,350	36	2.7	181	13.4	126	9.3	0	0.0	102	7.6	6	0.4	878	65.0	21	1.6
Alaska	38	1	2.6	5	13.2	3	7.9	0	0.0	0	0.0	2	5.3	25	65.8	2	5.3
Arizona	216	0	0.0	4	1.9	17	7.9	0	0.0	5	2.3	0	0.0	185	85.6	5	2.3
California																	
Central	213	2	0.9	21	9.9	28	13.1	0	0.0	5	2.3	0	0.0	152	71.4	5	2.3
Eastern	198	4	2.0	46	23.2	11	5.6	0	0.0	5	2.5	1	0.5	131	66.2	0	0.0
Northern	68	2	2.9	17	25.0	5	7.4	0	0.0	5	7.4	0	0.0	39	57.4	0	0.0
Southern	142	2	1.4	20	14.1	24	16.9	0	0.0	3	2.1	3	2.1	83	58.5	7	4.9
Guam	17	0	0.0	0	0.0	0	0.0	0	0.0	1	5.9	0	0.0	16	94.1	0	0.0
Hawaii	49	8	16.3	3	6.1	2	4.1	0	0.0	8	16.3	0	0.0	28	57.1	0	0.0
Idaho	104	2	1.9	4	3.8	6	5.8	0	0.0	3	2.9	0	0.0	89	85.6	0	0.0
Montana	69	7	10.1	5	7.2	5	7.2	0	0.0	5	7.2	0	0.0	47	68.1	0	0.0
Nevada	43	0	0.0	7	16.3	7	16.3	0	0.0	2	4.7	0	0.0	26	60.5	1	2.3
Northern Mariana Islands	2	0	0.0	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	81	5	6.2	25	30.9	9	11.1	0	0.0	31	38.3	0	0.0	11	13.6	0	0.0
Washington																	
Eastern	72	1	1.4	2	2.8	5	6.9	0	0.0	23	31.9	0	0.0	41	56.9	0	0.0
Western	38	2	5.3	20	52.6	4	10.5	0	0.0	6	15.8	0	0.0	5	13.2	1	2.6
TENTH CIRCUIT	366	47	12.8	20	5.5	27	7.4	1	0.3	64	17.5	2	0.5	203	55.5	2	0.5
Colorado	32	2	6.3	0	0.0	8	25.0	0	0.0	12	37.5	1	3.1	9	28.1	0	0.0
Kansas	50	5	10.0	2	4.0	1	2.0	0	0.0	17	34.0	1	2.0	24	48.0	0	0.0
New Mexico	67	1	1.5	2	3.0	4	6.0	1	1.5	10	14.9	0	0.0	48	71.6	1	1.5
Oklahoma																	
Eastern	35	1	2.9	0	0.0	2	5.7	0	0.0	3	8.6	0	0.0	28	80.0	1	2.9
Northern	28	0	0.0	1	3.6	4	14.3	0	0.0	4	14.3	0	0.0	19	67.9	0	0.0
Western	54	0	0.0	0	0.0	3	5.6	0	0.0	2	3.7	0	0.0	49	90.7	0	0.0
Utah	48	2	4.2	11	22.9	3	6.3	0	0.0	12	25.0	0	0.0	20	41.7	0	0.0
Wyoming	52	36	69.2	4	7.7	2	3.8	0	0.0	4	7.7	0	0.0	6	11.5	0	0.0
ELEVENTH CIRCUIT	1,627	309	19.0	101	6.2	58	3.6	5	0.3	252	15.5	10	0.6	879	54.0	13	0.8
Alabama																	
Middle	66	1	1.5	8	12.1	0	0.0	0	0.0	9	13.6	0	0.0	48	72.7	0	0.0
Northern	118	3	2.5	1	0.8	3	2.5	0	0.0	27	22.9	1	0.8	81	68.6	2	1.7
Southern	63	4	6.3	6	9.5	3	4.8	0	0.0	17	27.0	1	1.6	32	50.8	0	0.0
Florida																	
Middle	475	101	21.3	13	2.7	18	3.8	4	0.8	76	16.0	3	0.6	258	54.3	2	0.4
Northern	90	3	3.3	1	1.1	1	1.1	1	1.1	40	44.4	0	0.0	44	48.9	0	0.0
Southern	438	175	40.0	53	12.1	28	6.4	0	0.0	67	15.3	2	0.5	109	24.9	4	0.9
Georgia																	
Middle	52	3	5.8	10	19.2	1	1.9	0	0.0	3	5.8	3	5.8	32	61.5	0	0.0
Northern	261	14	5.4	9	3.4	3	1.1	0	0.0	6	2.3	0	0.0	224	85.8	5	1.9
Southern	64	5	7.8	0	0.0	1	1.6	0	0.0	7	10.9	0	0.0	51	79.7	0	0.0

¹ Modification 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.

SOURCE: U.S. Sentencing Commission, 2016 Resentencing Datafile, RESENTFY16.