

Table 62

**TYPE OF RESENTENCING OR OTHER MODIFICATION OF SENTENCE
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2010**

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	4,120	2,006	48.7	340	8.3	689	16.7	11	0.3	150	3.6	23	0.6	759	18.4	142	3.4
D.C. CIRCUIT	29	6	20.7	2	6.9	5	17.2	0	0.0	0	0.0	1	3.4	13	44.8	2	6.9
District of Columbia	29	6	20.7	2	6.9	5	17.2	0	0.0	0	0.0	1	3.4	13	44.8	2	6.9
FIRST CIRCUIT	104	24	23.1	14	13.5	28	26.9	0	0.0	4	3.8	3	2.9	19	18.3	12	11.5
Maine	11	5	45.5	0	0.0	5	45.5	0	0.0	0	0.0	1	9.1	0	0.0	0	0.0
Massachusetts	33	4	12.1	3	9.1	4	12.1	0	0.0	4	12.1	0	0.0	11	33.3	7	21.2
New Hampshire	17	6	35.3	7	41.2	1	5.9	0	0.0	0	0.0	0	0.0	1	5.9	2	11.8
Puerto Rico	39	8	20.5	2	5.1	18	46.2	0	0.0	0	0.0	2	5.1	6	15.4	3	7.7
Rhode Island	4	1	25.0	2	50.0	0	0.0	0	0.0	0	0.0	0	0.0	1	25.0	0	0.0
SECOND CIRCUIT	166	18	10.8	34	20.5	52	31.3	0	0.0	7	4.2	2	1.2	42	25.3	11	6.6
Connecticut	13	2	15.4	0	0.0	3	23.1	0	0.0	0	0.0	0	0.0	7	53.8	1	7.7
New York																	
Eastern	48	5	10.4	8	16.7	22	45.8	0	0.0	2	4.2	0	0.0	7	14.6	4	8.3
Northern	10	0	0.0	1	10.0	5	50.0	0	0.0	3	30.0	0	0.0	1	10.0	0	0.0
Southern	79	6	7.6	21	26.6	19	24.1	0	0.0	2	2.5	2	2.5	24	30.4	5	6.3
Western	14	5	35.7	3	21.4	2	14.3	0	0.0	0	0.0	0	0.0	3	21.4	1	7.1
Vermont	2	0	0.0	1	50.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
THIRD CIRCUIT	181	60	33.1	10	5.5	57	31.5	1	0.6	9	5.0	2	1.1	31	17.1	11	6.1
Delaware	3	0	0.0	0	0.0	2	66.7	0	0.0	0	0.0	0	0.0	1	33.3	0	0.0
New Jersey	34	4	11.8	7	20.6	13	38.2	1	2.9	1	2.9	1	2.9	4	11.8	3	8.8
Pennsylvania																	
Eastern	40	12	30.0	0	0.0	19	47.5	0	0.0	3	7.5	1	2.5	4	10.0	1	2.5
Middle	48	11	22.9	1	2.1	16	33.3	0	0.0	5	10.4	0	0.0	15	31.3	0	0.0
Western	55	33	60.0	2	3.6	6	10.9	0	0.0	0	0.0	0	0.0	7	12.7	7	12.7
Virgin 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
FOURTH CIRCUIT	1,174	685	58.3	47	4.0	94	8.0	6	0.5	37	3.2	2	0.2	289	24.6	14	1.2
Maryland	90	8	8.9	8	8.9	8	8.9	0	0.0	10	11.1	0	0.0	48	53.3	8	8.9
North Carolina																	
Eastern	77	29	37.7	0	0.0	17	22.1	0	0.0	0	0.0	1	1.3	30	39.0	0	0.0
Middle	80	9	11.3	0	0.0	3	3.8	0	0.0	5	6.3	0	0.0	62	77.5	1	1.3
Western	80	12	15.0	13	16.3	14	17.5	0	0.0	7	8.8	0	0.0	34	42.5	0	0.0
South Carolina	255	183	71.8	9	3.5	22	8.6	6	2.4	9	3.5	0	0.0	23	9.0	3	1.2
Virginia																	
Eastern	460	370	80.4	0	0.0	10	2.2	0	0.0	1	0.2	1	0.2	77	16.7	1	0.2
Western	72	42	58.3	13	18.1	13	18.1	0	0.0	2	2.8	0	0.0	1	1.4	1	1.4
West Virginia																	
Northern	23	6	26.1	4	17.4	4	17.4	0	0.0	1	4.3	0	0.0	8	34.8	0	0.0
Southern	37	26	70.3	0	0.0	3	8.1	0	0.0	2	5.4	0	0.0	6	16.2	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	383	152	39.7	34	8.9	74	19.3	1	0.3	12	3.1	2	0.5	81	21.1	27	7.0
Louisiana																	
Eastern	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
Middle	25	0	0.0	2	8.0	1	4.0	0	0.0	1	4.0	0	0.0	20	80.0	1	4.0
Western	51	18	35.3	5	9.8	3	5.9	1	2.0	1	2.0	0	0.0	21	41.2	2	3.9
Mississippi																	
Northern	11	6	54.5	0	0.0	2	18.2	0	0.0	0	0.0	0	0.0	3	27.3	0	0.0
Southern	7	3	42.9	2	28.6	1	14.3	0	0.0	0	0.0	0	0.0	1	14.3	0	0.0
Texas																	
Eastern	85	56	65.9	9	10.6	3	3.5	0	0.0	1	1.2	0	0.0	14	16.5	2	2.4
Northern	33	8	24.2	2	6.1	14	42.4	0	0.0	1	3.0	1	3.0	6	18.2	1	3.0
Southern	93	40	43.0	3	3.2	36	38.7	0	0.0	5	5.4	1	1.1	5	5.4	3	3.2
Western	76	20	26.3	11	14.5	13	17.1	0	0.0	3	3.9	0	0.0	11	14.5	18	23.7
SIXTH CIRCUIT	333	113	33.9	29	8.7	61	18.3	0	0.0	15	4.5	1	0.3	106	31.8	8	2.4
Kentucky																	
Eastern	19	12	63.2	5	26.3	0	0.0	0	0.0	0	0.0	0	0.0	1	5.3	1	5.3
Western	14	4	28.6	4	28.6	5	35.7	0	0.0	0	0.0	0	0.0	1	7.1	0	0.0
Michigan																	
Eastern	51	21	41.2	2	3.9	8	15.7	0	0.0	4	7.8	0	0.0	15	29.4	1	2.0
Western	82	23	28.0	6	7.3	13	15.9	0	0.0	3	3.7	0	0.0	37	45.1	0	0.0
Ohio																	
Northern	23	1	4.3	2	8.7	7	30.4	0	0.0	1	4.3	0	0.0	12	52.2	0	0.0
Southern	42	24	57.1	2	4.8	7	16.7	0	0.0	2	4.8	1	2.4	5	11.9	1	2.4
Tennessee																	
Eastern	55	14	25.5	3	5.5	7	12.7	0	0.0	3	5.5	0	0.0	28	50.9	0	0.0
Middle	14	2	14.3	1	7.1	3	21.4	0	0.0	1	7.1	0	0.0	5	35.7	2	14.3
Western	33	12	36.4	4	12.1	11	33.3	0	0.0	1	3.0	0	0.0	2	6.1	3	9.1
SEVENTH CIRCUIT	363	205	56.5	17	4.7	76	20.9	0	0.0	3	0.8	0	0.0	55	15.2	7	1.9
Illinois																	
Central	59	45	76.3	2	3.4	7	11.9	0	0.0	0	0.0	0	0.0	4	6.8	1	1.7
Northern	42	2	4.8	6	14.3	22	52.4	0	0.0	3	7.1	0	0.0	6	14.3	3	7.1
Southern	146	99	67.8	2	1.4	13	8.9	0	0.0	0	0.0	0	0.0	31	21.2	1	0.7
Indiana																	
Northern	15	4	26.7	2	13.3	8	53.3	0	0.0	0	0.0	0	0.0	1	6.7	0	0.0
Southern	14	2	14.3	0	0.0	3	21.4	0	0.0	0	0.0	0	0.0	8	57.1	1	7.1
Wisconsin																	
Eastern	60	40	66.7	4	6.7	12	20.0	0	0.0	0	0.0	0	0.0	3	5.0	1	1.7
Western	27	13	48.1	1	3.7	11	40.7	0	0.0	0	0.0	0	0.0	2	7.4	0	0.0
EIGHTH CIRCUIT	372	253	68.0	18	4.8	36	9.7	0	0.0	13	3.5	1	0.3	40	10.8	11	3.0
Arkansas																	
Eastern	51	47	92.2	0	0.0	3	5.9	0	0.0	0	0.0	0	0.0	0	0.0	1	2.0
Western	4	1	25.0	1	25.0	1	25.0	0	0.0	1	25.0	0	0.0	0	0.0	0	0.0
Iowa																	
Northern	37	23	62.2	1	2.7	7	18.9	0	0.0	2	5.4	0	0.0	3	8.1	1	2.7
Southern	14	8	57.1	1	7.1	5	35.7	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Minnesota	34	7	20.6	8	23.5	6	17.6	0	0.0	2	5.9	0	0.0	6	17.6	5	14.7
Missouri																	
Eastern	22	5	22.7	1	4.5	6	27.3	0	0.0	2	9.1	0	0.0	6	27.3	2	9.1
Western	20	4	20.0	1	5.0	7	35.0	0	0.0	4	20.0	0	0.0	2	10.0	2	10.0
Nebraska	138	117	84.8	1	0.7	0	0.0	0	0.0	2	1.4	1	0.7	17	12.3	0	0.0
North Dakota	0	0	--	0	--	0	--	0	--	0	--	0	--	0	--	0	--
South Dakota	52	41	78.8	4	7.7	1	1.9	0	0.0	0	0.0	0	0.0	6	11.5	0	0.0

Table 62 (cont.)

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		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	241	22	9.1	59	24.5	114	47.3	0	0.0	9	3.7	5	2.1	12	5.0	20	8.3
Alaska	4	0	0.0	1	25.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3	75.0
Arizona	14	1	7.1	5	35.7	6	42.9	0	0.0	1	7.1	0	0.0	0	0.0	1	7.1
California																	
Central	40	0	0.0	1	2.5	31	77.5	0	0.0	2	5.0	0	0.0	4	10.0	2	5.0
Eastern	16	2	12.5	8	50.0	1	6.3	0	0.0	0	0.0	0	0.0	4	25.0	1	6.3
Northern	14	1	7.1	1	7.1	8	57.1	0	0.0	1	7.1	0	0.0	3	21.4	0	0.0
Southern	54	5	9.3	7	13.0	30	55.6	0	0.0	1	1.9	5	9.3	0	0.0	6	11.1
Guam	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
Hawaii	7	0	0.0	0	0.0	6	85.7	0	0.0	0	0.0	0	0.0	0	0.0	1	14.3
Idaho	3	1	33.3	0	0.0	1	33.3	0	0.0	1	33.3	0	0.0	0	0.0	0	0.0
Montana	25	6	24.0	1	4.0	18	72.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Nevada	8	1	12.5	3	37.5	3	37.5	0	0.0	0	0.0	0	0.0	1	12.5	0	0.0
Northern Mariana Islands	0	0	--	0	--	0	--	0	--	0	--	0	--	0	--	0	--
Oregon	31	3	9.7	20	64.5	5	16.1	0	0.0	2	6.5	0	0.0	0	0.0	1	3.2
Washington																	
Eastern	10	0	0.0	3	30.0	3	30.0	0	0.0	1	10.0	0	0.0	0	0.0	3	30.0
Western	14	2	14.3	9	64.3	1	7.1	0	0.0	0	0.0	0	0.0	0	0.0	2	14.3
TENTH CIRCUIT	176	92	52.3	19	10.8	39	22.2	0	0.0	9	5.1	2	1.1	10	5.7	5	2.8
Colorado	19	3	15.8	4	21.1	9	47.4	0	0.0	1	5.3	0	0.0	2	10.5	0	0.0
Kansas	29	13	44.8	2	6.9	8	27.6	0	0.0	1	3.4	1	3.4	4	13.8	0	0.0
New Mexico	12	0	0.0	2	16.7	7	58.3	0	0.0	0	0.0	0	0.0	2	16.7	1	8.3
Oklahoma																	
Eastern	4	2	50.0	0	0.0	1	25.0	0	0.0	1	25.0	0	0.0	0	0.0	0	0.0
Northern	8	1	12.5	0	0.0	3	37.5	0	0.0	1	12.5	0	0.0	1	12.5	2	25.0
Western	10	1	10.0	1	10.0	5	50.0	0	0.0	2	20.0	0	0.0	1	10.0	0	0.0
Utah	21	5	23.8	9	42.9	5	23.8	0	0.0	2	9.5	0	0.0	0	0.0	0	0.0
Wyoming	73	67	91.8	1	1.4	1	1.4	0	0.0	1	1.4	1	1.4	0	0.0	2	2.7
ELEVENTH CIRCUIT	598	376	62.9	57	9.5	53	8.9	3	0.5	32	5.4	2	0.3	61	10.2	14	2.3
Alabama																	
Middle	15	2	13.3	0	0.0	1	6.7	0	0.0	2	13.3	0	0.0	10	66.7	0	0.0
Northern	12	2	16.7	0	0.0	5	41.7	0	0.0	1	8.3	0	0.0	4	33.3	0	0.0
Southern	14	7	50.0	1	7.1	2	14.3	0	0.0	0	0.0	0	0.0	4	28.6	0	0.0
Florida																	
Middle	149	104	69.8	7	4.7	16	10.7	0	0.0	3	2.0	1	0.7	14	9.4	4	2.7
Northern	28	19	67.9	1	3.6	2	7.1	0	0.0	0	0.0	0	0.0	4	14.3	2	7.1
Southern	302	207	68.5	46	15.2	15	5.0	2	0.7	19	6.3	1	0.3	8	2.6	4	1.3
Georgia																	
Middle	20	11	55.0	1	5.0	0	0.0	0	0.0	0	0.0	0	0.0	8	40.0	0	0.0
Northern	34	12	35.3	1	2.9	5	14.7	0	0.0	7	20.6	0	0.0	5	14.7	4	11.8
Southern	24	12	50.0	0	0.0	7	29.2	1	4.2	0	0.0	0	0.0	4	16.7	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.