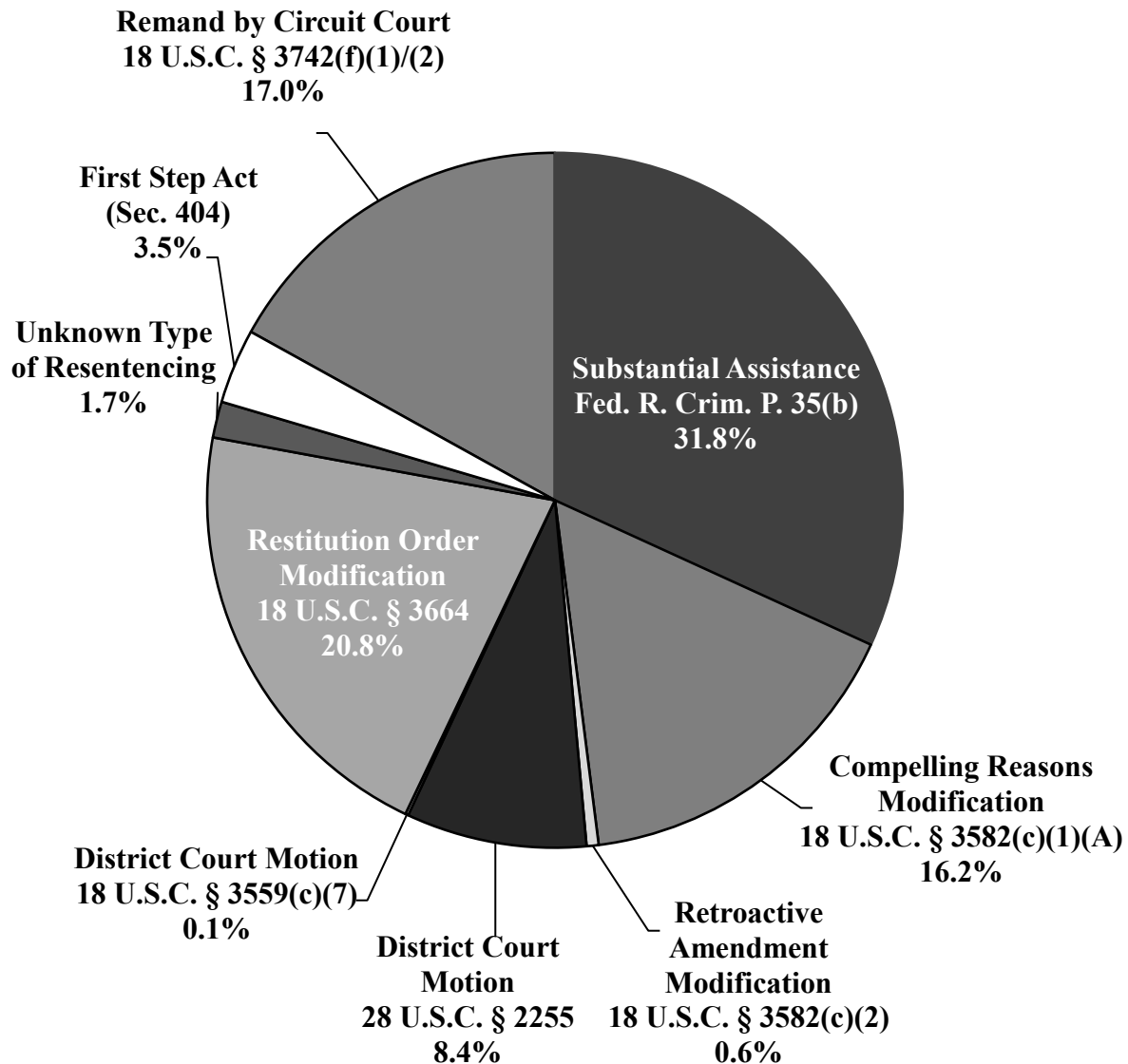


Figure R

**DISTRIBUTION OF SENTENCED INDIVIDUALS
BY TYPE OF RESENTENCING OR OTHER MODIFICATION OF SENTENCE¹
Fiscal Year 2023**



¹ This figure includes the 2,672 resentencing cases reported to the Commission. Modification of supervision conditions is a type of resentencing, but information was not collected for this type of case. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2023 Resentencing Datafile, RESENTFY23.

Table R

**TYPE OF RESENTENCING OR OTHER MODIFICATION OF SENTENCE
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2023**

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)(A)		Retroactive Amendment Modification 18 U.S.C. § 3582(c)(2)		First Step Act (Sec. 404)	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	2,627	850	32.4	556	21.2	453	17.2	4	0.2	224	8.5	432	16.4	15	0.6	93	3.5
D.C. CIRCUIT	30	4	13.3	5	16.7	6	20.0	0	0.0	3	10.0	5	16.7	1	3.3	6	20.0
District of Columbia	30	4	13.3	5	16.7	6	20.0	0	0.0	3	10.0	5	16.7	1	3.3	6	20.0
FIRST CIRCUIT	67	11	16.4	15	22.4	8	11.9	0	0.0	9	13.4	15	22.4	4	6.0	5	7.5
Maine	7	2	28.6	4	57.1	0	0.0	0	0.0	0	0.0	1	14.3	0	0.0	0	0.0
Massachusetts	17	1	5.9	3	17.6	1	5.9	0	0.0	5	29.4	5	29.4	0	0.0	2	11.8
New Hampshire	3	0	0.0	1	33.3	0	0.0	0	0.0	2	66.7	0	0.0	0	0.0	0	0.0
Puerto Rico	38	8	21.1	7	18.4	7	18.4	0	0.0	2	5.3	7	18.4	4	10.5	3	7.9
Rhode Island	2	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2	100.0	0	0.0	0	0.0
SECOND CIRCUIT	153	7	4.6	48	31.4	32	20.9	0	0.0	26	17.0	36	23.5	1	0.7	3	2.0
Connecticut	4	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3	75.0	0	0.0	1	25.0
New York																	
Eastern	54	2	3.7	20	37.0	5	9.3	0	0.0	8	14.8	17	31.5	1	1.9	1	1.9
Northern	7	0	0.0	2	28.6	4	57.1	0	0.0	0	0.0	1	14.3	0	0.0	0	0.0
Southern	65	2	3.1	20	30.8	17	26.2	0	0.0	17	26.2	9	13.8	0	0.0	0	0.0
Western	20	3	15.0	6	30.0	6	30.0	0	0.0	1	5.0	3	15.0	0	0.0	1	5.0
Vermont	3	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3	100.0	0	0.0	0	0.0
THIRD CIRCUIT	111	14	12.6	23	20.7	26	23.4	1	0.9	26	23.4	13	11.7	0	0.0	8	7.2
Delaware	4	1	25.0	2	50.0	1	25.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
New Jersey	34	0	0.0	14	41.2	2	5.9	1	2.9	7	20.6	8	23.5	0	0.0	2	5.9
Pennsylvania																	
Eastern	43	5	11.6	4	9.3	16	37.2	0	0.0	17	39.5	0	0.0	0	0.0	1	2.3
Middle	14	4	28.6	2	14.3	3	21.4	0	0.0	1	7.1	2	14.3	0	0.0	2	14.3
Western	15	4	26.7	1	6.7	3	20.0	0	0.0	1	6.7	3	20.0	0	0.0	3	20.0
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	511	172	33.7	70	13.7	98	19.2	1	0.2	32	6.3	110	21.5	1	0.2	27	5.3
Maryland	66	6	9.1	9	13.6	10	15.2	1	1.5	7	10.6	30	45.5	0	0.0	3	4.5
North Carolina																	
Eastern	65	9	13.8	2	3.1	39	60.0	0	0.0	4	6.2	9	13.8	0	0.0	2	3.1
Middle	27	5	18.5	8	29.6	9	33.3	0	0.0	1	3.7	3	11.1	0	0.0	1	3.7
Western	42	6	14.3	5	11.9	6	14.3	0	0.0	2	4.8	15	35.7	0	0.0	8	19.0
South Carolina	76	27	35.5	11	14.5	16	21.1	0	0.0	4	5.3	15	19.7	0	0.0	3	3.9
Virginia																	
Eastern	169	112	66.3	5	3.0	14	8.3	0	0.0	12	7.1	18	10.7	1	0.6	7	4.1
Western	53	6	11.3	27	50.9	1	1.9	0	0.0	2	3.8	15	28.3	0	0.0	2	3.8
West Virginia																	
Northern	8	1	12.5	3	37.5	3	37.5	0	0.0	0	0.0	1	12.5	0	0.0	0	0.0
Southern	5	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	4	80.0	0	0.0	1	20.0

Table R (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)(A)		Retroactive Amendment Modification 18 U.S.C. § 3582(c)(2)		First Step Act (Sec. 404)	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	243	106	43.6	34	14.0	66	27.2	0	0.0	9	3.7	19	7.8	1	0.4	8	3.3
Louisiana																	
Eastern	15	1	6.7	8	53.3	3	20.0	0	0.0	0	0.0	3	20.0	0	0.0	0	0.0
Middle	1	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1	100.0
Western	8	2	25.0	2	25.0	2	25.0	0	0.0	0	0.0	2	25.0	0	0.0	0	0.0
Mississippi																	
Northern	4	4	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Southern	18	14	77.8	2	11.1	1	5.6	0	0.0	0	0.0	1	5.6	0	0.0	0	0.0
Texas																	
Eastern	45	33	73.3	6	13.3	2	4.4	0	0.0	1	2.2	3	6.7	0	0.0	0	0.0
Northern	33	10	30.3	3	9.1	9	27.3	0	0.0	3	9.1	3	9.1	0	0.0	5	15.2
Southern	46	17	37.0	4	8.7	20	43.5	0	0.0	2	4.3	2	4.3	0	0.0	1	2.2
Western	73	25	34.2	9	12.3	29	39.7	0	0.0	3	4.1	5	6.8	1	1.4	1	1.4
SIXTH CIRCUIT	167	34	20.4	35	21.0	43	25.7	0	0.0	24	14.4	20	12.0	0	0.0	11	6.6
Kentucky																	
Eastern	24	1	4.2	16	66.7	1	4.2	0	0.0	1	4.2	5	20.8	0	0.0	0	0.0
Western	6	1	16.7	1	16.7	2	33.3	0	0.0	0	0.0	2	33.3	0	0.0	0	0.0
Michigan																	
Eastern	28	3	10.7	13	46.4	2	7.1	0	0.0	1	3.6	5	17.9	0	0.0	4	14.3
Western	17	5	29.4	1	5.9	6	35.3	0	0.0	1	5.9	0	0.0	0	0.0	4	23.5
Ohio																	
Northern	23	2	8.7	3	13.0	12	52.2	0	0.0	5	21.7	0	0.0	0	0.0	1	4.3
Southern	10	5	50.0	0	0.0	3	30.0	0	0.0	1	10.0	1	10.0	0	0.0	0	0.0
Tennessee																	
Eastern	16	5	31.3	0	0.0	6	37.5	0	0.0	1	6.3	2	12.5	0	0.0	2	12.5
Middle	9	0	0.0	0	0.0	5	55.6	0	0.0	4	44.4	0	0.0	0	0.0	0	0.0
Western	34	12	35.3	1	2.9	6	17.6	0	0.0	10	29.4	5	14.7	0	0.0	0	0.0
SEVENTH CIRCUIT	191	84	44.0	33	17.3	23	12.0	1	0.5	20	10.5	21	11.0	1	0.5	8	4.2
Illinois																	
Central	36	25	69.4	4	11.1	2	5.6	1	2.8	3	8.3	1	2.8	0	0.0	0	0.0
Northern	32	1	3.1	7	21.9	6	18.8	0	0.0	2	6.3	13	40.6	1	3.1	2	6.3
Southern	47	45	95.7	0	0.0	1	2.1	0	0.0	0	0.0	1	2.1	0	0.0	0	0.0
Indiana																	
Northern	15	2	13.3	3	20.0	4	26.7	0	0.0	1	6.7	3	20.0	0	0.0	2	13.3
Southern	27	3	11.1	9	33.3	5	18.5	0	0.0	7	25.9	3	11.1	0	0.0	0	0.0
Wisconsin																	
Eastern	24	4	16.7	7	29.2	2	8.3	0	0.0	7	29.2	0	0.0	0	0.0	4	16.7
Western	10	4	40.0	3	30.0	3	30.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
EIGHTH CIRCUIT	293	183	62.5	41	14.0	20	6.8	0	0.0	14	4.8	29	9.9	0	0.0	6	2.0
Arkansas																	
Eastern	24	18	75.0	1	4.2	3	12.5	0	0.0	0	0.0	2	8.3	0	0.0	0	0.0
Western	1	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Iowa																	
Northern	23	18	78.3	2	8.7	1	4.3	0	0.0	0	0.0	2	8.7	0	0.0	0	0.0
Southern	36	7	19.4	8	22.2	9	25.0	0	0.0	0	0.0	6	16.7	0	0.0	6	16.7
Minnesota	22	4	18.2	8	36.4	1	4.5	0	0.0	2	9.1	7	31.8	0	0.0	0	0.0
Missouri																	
Eastern	10	2	20.0	2	20.0	1	10.0	0	0.0	5	50.0	0	0.0	0	0.0	0	0.0
Western	16	4	25.0	0	0.0	2	12.5	0	0.0	6	37.5	4	25.0	0	0.0	0	0.0
Nebraska	34	31	91.2	2	5.9	0	0.0	0	0.0	0	0.0	1	2.9	0	0.0	0	0.0
North Dakota	5	2	40.0	0	0.0	1	20.0	0	0.0	1	20.0	1	20.0	0	0.0	0	0.0
South Dakota	122	97	79.5	17	13.9	2	1.6	0	0.0	0	0.0	6	4.9	0	0.0	0	0.0

Table R (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)(A)		Retroactive Amendment Modification 18 U.S.C. § 3582(c)(2)		First Step Act (Sec. 404)	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	363	16	4.4	141	38.8	74	20.4	0	0.0	23	6.3	104	28.7	2	0.6	3	0.8
Alaska	5	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	5	100.0	0	0.0	0	0.0
Arizona	29	2	6.9	14	48.3	7	24.1	0	0.0	3	10.3	3	10.3	0	0.0	0	0.0
California																	
Central	45	1	2.2	17	37.8	15	33.3	0	0.0	2	4.4	9	20.0	0	0.0	1	2.2
Eastern	25	0	0.0	10	40.0	5	20.0	0	0.0	3	12.0	5	20.0	0	0.0	2	8.0
Northern	64	2	3.1	35	54.7	15	23.4	0	0.0	1	1.6	10	15.6	1	1.6	0	0.0
Southern	49	2	4.1	10	20.4	15	30.6	0	0.0	1	2.0	21	42.9	0	0.0	0	0.0
Guam	1	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Hawaii	11	0	0.0	0	0.0	3	27.3	0	0.0	0	0.0	8	72.7	0	0.0	0	0.0
Idaho	9	1	11.1	5	55.6	1	11.1	0	0.0	0	0.0	2	22.2	0	0.0	0	0.0
Montana	29	3	10.3	2	6.9	1	3.4	0	0.0	2	6.9	20	69.0	1	3.4	0	0.0
Nevada	18	2	11.1	3	16.7	6	33.3	0	0.0	2	11.1	5	27.8	0	0.0	0	0.0
Northern Mariana Islands	0	0	--	0	--	0	--	0	--	0	--	0	--	0	--	0	--
Oregon	30	2	6.7	14	46.7	2	6.7	0	0.0	3	10.0	9	30.0	0	0.0	0	0.0
Washington																	
Eastern	11	0	0.0	2	18.2	1	9.1	0	0.0	5	45.5	3	27.3	0	0.0	0	0.0
Western	37	1	2.7	28	75.7	3	8.1	0	0.0	1	2.7	4	10.8	0	0.0	0	0.0
TENTH CIRCUIT	128	17	13.3	30	23.4	24	18.8	0	0.0	13	10.2	41	32.0	2	1.6	1	0.8
Colorado	13	3	23.1	3	23.1	2	15.4	0	0.0	0	0.0	5	38.5	0	0.0	0	0.0
Kansas	32	0	0.0	8	25.0	6	18.8	0	0.0	3	9.4	14	43.8	1	3.1	0	0.0
New Mexico	10	1	10.0	2	20.0	2	20.0	0	0.0	2	20.0	3	30.0	0	0.0	0	0.0
Oklahoma																	
Eastern	12	2	16.7	6	50.0	2	16.7	0	0.0	0	0.0	1	8.3	0	0.0	1	8.3
Northern	23	5	21.7	3	13.0	5	21.7	0	0.0	4	17.4	6	26.1	0	0.0	0	0.0
Western	9	0	0.0	3	33.3	4	44.4	0	0.0	1	11.1	1	11.1	0	0.0	0	0.0
Utah	11	0	0.0	1	9.1	2	18.2	0	0.0	3	27.3	4	36.4	1	9.1	0	0.0
Wyoming	18	6	33.3	4	22.2	1	5.6	0	0.0	0	0.0	7	38.9	0	0.0	0	0.0
ELEVENTH CIRCUIT	370	202	54.6	81	21.9	33	8.9	1	0.3	25	6.8	19	5.1	2	0.5	7	1.9
Alabama																	
Middle	13	2	15.4	4	30.8	4	30.8	0	0.0	1	7.7	2	15.4	0	0.0	0	0.0
Northern	4	1	25.0	1	25.0	2	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Southern	6	2	33.3	0	0.0	2	33.3	0	0.0	0	0.0	0	0.0	0	0.0	2	33.3
Florida																	
Middle	67	37	55.2	9	13.4	6	9.0	1	1.5	5	7.5	8	11.9	1	1.5	0	0.0
Northern	5	2	40.0	0	0.0	1	20.0	0	0.0	0	0.0	1	20.0	0	0.0	1	20.0
Southern	240	145	60.4	59	24.6	14	5.8	0	0.0	13	5.4	6	2.5	0	0.0	3	1.3
Georgia																	
Middle	19	9	47.4	5	26.3	3	15.8	0	0.0	0	0.0	1	5.3	0	0.0	1	5.3
Northern	7	3	42.9	0	0.0	0	0.0	0	0.0	2	28.6	1	14.3	1	14.3	0	0.0
Southern	9	1	11.1	3	33.3	1	11.1	0	0.0	4	44.4	0	0.0	0	0.0	0	0.0

¹ Of the 2,672 cases, 45 were excluded due to missing type of resentencing or modification of sentence. 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, 2023 Resentencing Datafile, RESENTFY23.