

ENTERED

November 06, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA §
 §
VS. § CRIMINAL NO. 4:02-CR-688
 §
CHAZ ELEE STEPTOE §

ORDER ON MOTION FOR RECONSIDERATION

Having considered the defendant’s motions for resentencing, the government’s response and the arguments and law therein, the Court orders that the defendant’s motion is granted.

In the interest of justice and a spirit of “judicial comity”, the Court follows the majority of courts that have addressed this issue, determining that the eligibility under §404(a) turns on the offense not the defendant’s conduct. Therefore, the defendant’s motion for reconsideration is granted, finding that he is eligible for a reduced sentence under the Fair Sentencing Act.

The Court directs Probation to prepare a presentencing report on **November 18, 2019**. A resentencing hearing is scheduled for **December 9, 2019 at 10:00 a.m.**

It is so **ORDERED**.

SIGNED on this 31st day of October, 2019.



Kenneth M. Hoyt
United States District Judge