

# UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

## United States v. Sadio

No. 18-1389-cr, United States Court of Appeals for the Second Circuit (April 12, 2019)

### SUMMARY

The Second Circuit affirmed a district court's order granting in part a sentence reduction under 18 U.S.C. § 3582(c)(2) and Amendment 782, holding that the district court did not abuse its discretion by using a standardized AO form with minimal explanation. Relying on *\*United States v. Chavez-Meza\** (2018) and *\*United States v. Christie\** (2d Cir. 2013), the court found that because the same judge who imposed the original sentence also ruled on the reduction motion and was familiar with the record, the form sufficed. The court rejected any distinction between proportional and nonproportional sentence reductions and noted that the defendant's rehabilitation evidence was not overwhelming. The decision underscores that a district court's reasoning for a § 3582(c)(2) reduction may be implicit when the judge has prior familiarity with the case.

### CASE DETAILS

|                       |                                                                                                                   |
|-----------------------|-------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States Court of Appeals for the Second Circuit                                                             |
| WRITING FOR THE COURT | Barrington D. Parker; Peter W. Hall; Christopher F. Droney                                                        |
| JURISDICTION          | Federal                                                                                                           |
| DECIDED               | April 12, 2019                                                                                                    |
| DOCKET                | 18-1389-cr                                                                                                        |
| DISPOSITION           | affirmed                                                                                                          |
| PROCEDURAL POSTURE    | Appeal from a district court order granting in part a motion for sentence reduction under 18 U.S.C. § 3582(c)(2). |
| STANDARD OF REVIEW    | abuse of discretion                                                                                               |
| PRECEDENTIAL VALUE    | unpublished                                                                                                       |
| PARTIES               | Okeiba Sadio v. United States of America                                                                          |

### TOPICS

[criminal procedure](#) [sentencing](#) [appellate procedure](#) [standard of review](#)

### PRACTICE AREAS

**QUESTIONS PRESENTED**

1. Whether the district court abused its discretion by failing to provide adequate reasoning for its sentence reduction decision.

**HOLDINGS**

1. The district court's process comported with applicable requirements; the judge's familiarity with the case and use of the AO form was sufficient under Chavez-Meza and Christie.

**KEY QUOTATIONS**

*"We disagree and hold that the district court's process in resentencing Sadio comported with applicable requirements."* (3-4)

*"There is effectively no difference between the facts in Chavez-Meza and the facts presented here."* (5)

**FACTUAL BACKGROUND**

Sadio was sentenced originally to a term of imprisonment. After Amendment 782, he sought reduction to 168 months. The district court reduced to 192 months without extensive explanation.

**PROCEDURAL HISTORY**

Sadio moved to reduce his 192-month sentence to 168 months following Amendment 782. The district court granted the motion but only reduced to 192 months. Sadio appealed arguing insufficient reasoning.

**DISPOSITION**

affirmed

**CASES CITED**

- United States v. Chavez-Meza, 138 S. Ct. 1959 (2018)
- United States v. Christie, 736 F.3d 191 (2d Cir. 2013)
- United States v. Figueroa, 714 F.3d 757 (2d Cir. 2013)
- In re Sims v. Blot, 534 F.3d 117 (2d Cir. 2008)
- Dillon v. United States, 560 U.S. 817 (2010)
- United States v. Martin, 916 F.3d 389 (4th Cir. 2019)