

DISTRICT OF NEW HAMPSHIRE

Joyce Goodlin,
Petitioner

v.

Civil No. 09-cv-252-SM
Opinion No. 2009 DNH 117

United States of America,
Respondent

O R D E R

The petition for sentence relief filed pursuant to 28 U.S.C. § 2255 is necessarily denied.

Petitioner argues that full restitution should not have been ordered as part of her criminal sentence, given her inability to pay. Applicable statutory provisions, however, require that "the court shall order restitution to each victim in the full amount of each victim's losses as determined by the court and without consideration of the economic circumstances of the defendant." 18 U.S.C. § 3664(f)(1)(A).

Otherwise, petitioner seeks a "compassionate reduction of her sentence," but the applicable statute, 18 U.S.C. § 3582(c)(1)(A)(I), vests absolute discretion in the Director of the Bureau of Prisons to seek, or not seek early release of an inmate for "extraordinary and compelling" reasons. Petitioner must pursue her request for compassionate release administratively through the Bureau of Prisons.

The petition and the files and records of the case conclusively show that the petitioner is entitled to no relief under Section 2255, and the petition is hereby denied. The clerk shall close the case.

SO ORDERED.



Steven J. McAuliffe
Chief Judge

August 3, 2009

cc: Joyce Goodlin, pro se