UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	CRIMINAL ACTION
V.	NO. 08-01
TRAVIS J. EVERY	SECTION "F"

ORDER AND REASONS

Before the Court is Travis J. Every's motion for a judicial recommendation to the Bureau of Prisons that he be placed in a halfway house and then home confinement for the final twelve months of his sentence. For the following reasons, the motion is DENIED.

Background

Travis J. Every is a federal prisoner currently serving a 175 month sentence in federal prison. On March 20, 2009, Every pled guilty to a six-count bill of information. Every pled guilty to five counts of distributing various amounts of crack cocaine and powder cocaine. He also pled guilty to Count 6 of the Superseding Bill of Information, which charged him with having one previous felony drug conviction in Jefferson Parish. The Court sentenced Every to 25 years, or 300 months, in prison followed by 10 years of supervised release on September 3, 2009. On January 19, 2017, President Obama granted Every clemency. His sentence was reduced to 175 months with 10 years of supervised release. His official release date is October 1, 2019. On January 22, 2018, he moved for

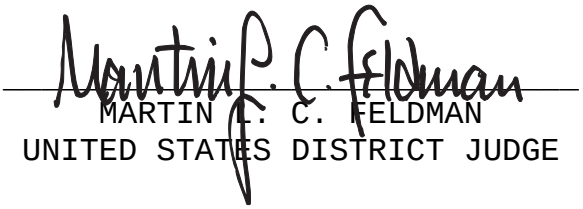
a judicial recommendation to the Bureau of Prisons that he be placed in a halfway house for six months followed by six months of home confinement during the last twelve months of his sentence. Every states that he is deserving of an opportunity to better transition into society because he has used his time in prison productively, participating in the Residential Drug and Alcohol Program, and countless other programs.

I.

The Bureau of Prisons has broad authority to determine the location of Every's imprisonment and the terms of his pre-release custody. 18 U.S.C. § 3621(b)("[a]ny order, recommendation, or request by a sentencing court that a convicted person serve a term of imprisonment in a community corrections facility shall have no binding effect on the authority of the Bureau under this section to determine or change the place of imprisonment of that person."); § 3624(c)(the Bureau "may ... place a prisoner in home confinement" or "may [consider] a community correctional facility"). In United States v. Sneed, the Fifth Circuit declined to address the defendant's request that he be allowed to serve the remainder of his sentence on home confinement, reasoning that "such requests are properly directed to the Bureau of Prisons." 63 F.3d 381, 389 n.6 (5th Cir. 1995). Same, too, here. Every's request is best directed to the Bureau of Prisons.

Accordingly, IT IS ORDERED that Travis J. Every's motion for a judicial recommendation is DENIED.

New Orleans, Louisiana, August 21, 2018



MARTIN L. C. FELDMAN
UNITED STATES DISTRICT JUDGE