United States District Court
Northern District of California

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHRISTINA BURDEN,

Defendant.

Case No. 4:21-cr-00362-YGR

ORDER DENYING REQUEST TO REDUCE SENTENCE

Re: Dkt. No. 35

The Court is in receipt of defendant Christina Burden's letter dated June 22, 2022, requesting that the Court reduce her sentence based upon Burden's completion of various nutrition, keyboarding, and drug education courses while in custody. (Dkt. No. 35.) This request comes approximately four months after the Court sentenced Burden to 36 months on February 24, 2022. Familiar with the case, Burden's recent sentencing, and having considered the letter, Burden's request for a reduced sentence is denied without prejudice.

Under the First Step Act, a defendant must exhaust administrative remedies before moving to reduce her sentence in the district court. 18 U.S.C. § 3582(c)(1)(A). Burden has not demonstrated that she exhausted her administrative remedies.

Once a defendant exhausts administrative remedies, a court can modify a sentence if, after considering the factors set forth in 18 U.S.C. § 3553(a), it finds that "extraordinary and compelling reasons warrant" a reduction. 18 U.S.C. § 3582(c)(1)(A)(i). Burden bears the burden to demonstrate a sentence reduction is warranted. While Congress has not defined what constitutes "extraordinary and compelling reasons," it did state that "[r]ehabilitation of the defendant alone" will not suffice. 28 U.S.C. § 994(t). The crux of Burden's letter to the Court is that she should be released based upon her demonstrated rehabilitation through her activities while in custody. This is not enough and the request is denied.

This Order terminates Docket Number 35.

IT IS SO ORDERED.

Dated: July 13, 2022

YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE

United States District Court
Northern District of California