

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 17-CR-160

v.

RONALD H. VAN DEN HEUVEL,

Defendant.

ORDER DENYING MOTION FOR COMPASSIONATE RELEASE

Defendant Ronald Van Den Heuvel has filed a motion for a compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A)(i), in the above matter. In fact, the defendant filed a motion virtually identical to the present motion in one of his civil cases, 17-C-1261, which this court denied on March 26, 2020. Van Den Heuvel is seeking compassionate release from the sentence imposed in the above-referenced criminal case due to his specific health condition and that of his wife.

Van Den Heuvel is serving concurrent sentences in two criminal cases, 16-CR-64 and 17-CR-160. As the court explained in denying Van Den Heuvel's earlier request, this court has no authority to grant Van Den Heuvel compassionate release from his current sentence because he has not exhausted his administrative remedies as required under 18 U.S.C. § 3582(c)(1)(A). That provision states that the court, either upon motion of the director or motion of the defendant *after* the defendant has fully exhausted any and all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on his behalf, may modify a term of imprisonment. The Bureau of Prisons has not filed a motion on Van Den Heuvel's behalf, nor has he alleged

exhaustion of his administrative rights before the Bureau of Prisons. Under these circumstances, Van Den Heuvel's motion must again be denied.

SO ORDERED at Green Bay, Wisconsin this 2nd day of April, 2020.

s/ William C. Griesbach
William C. Griesbach, District Judge
United States District Court