

United States Court of Appeals
For the Eighth Circuit

No. 19-1829

United States of America

Plaintiff - Appellee

v.

Rodney Phillip Hill

Defendant - Appellant

Appeal from United States District Court
for the Southern District of Iowa - Des Moines

Submitted: December 6, 2019

Filed: December 11, 2019

[Unpublished]

Before STRAS, WOLLMAN, and KOBES, Circuit Judges.

PER CURIAM.

Rodney Hill appeals the district court's¹ order denying his motion for a sentence reduction under Amendment 782 to the Sentencing Guidelines. See

¹The Honorable Rebecca Goodgame Ebinger, United States District Judge for the Southern District of Iowa.

18 U.S.C. § 3582(c)(2). He has also moved for leave to proceed pro se, and his attorney has asked to withdraw.

We conclude that Hill was ineligible for relief because his pre- and post-Amendment Guidelines ranges were the same. See 18 U.S.C. § 3582(c)(2) (providing that a court may reduce a term of imprisonment that is based on “a sentencing range that has subsequently been *lowered*” (emphasis added)); see also *United States v. Baylor*, 556 F.3d 672, 673 (8th Cir. 2009) (per curiam) (holding that a district court lacks the authority to reduce a sentence under section 3582(c)(2) if the relevant amendment does not lower the applicable Guidelines range). We accordingly affirm the judgment, grant his attorney permission to withdraw, and deny Hill’s motion.
