



U.S. Department of Justice
Federal Bureau of Prisons

Washington, DC 20534

MAR 27 2014

MEMORANDUM FOR J. E. KRUEGER, WARDEN
 FEDERAL CORRECTIONAL INSTITUTION, SCHUYLKILL

FROM: *Kathleen M. Kenney*
 Kathleen M. Kenney
 Assistant Director/General Counsel

SUBJECT: SHARE, Benjamin D.
 Federal Register No. 04581-067
 Request for Reduction in Sentence

Please be advised that Mr. Share's request for a reduction in sentence (RIS) pursuant to 18 U.S.C. § 3582(c)(1)(A)(i) and P.S. 5050.49, Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C. 3582(c)(1)(A) and 4205(g), is denied. We have carefully reviewed the documentation submitted with this request and have consulted with the Assistant Director, Correctional Programs Division, and with the Assistant Director, Health Services Division.

Inmate Share, age 85, was sentenced on March 28, 2006, and committed to BOP custody on April 6, 2006. He was convicted of violating 18 U.S.C. § 371, Conspiracy to Defraud the United States; and 18 U.S.C. § 1503, Obstruction of Justice. He was sentenced to a term of 120 months followed by two years of supervised release. Mr. Share's home detention eligibility date is July 8, 2014, and his Good Conduct Time date is January 8, 2015.

We have considered Mr. Share under several provisions of P.S. 5050.49 and do not find that he meets the eligibility requirements. Under section 4(a) ("New Law Elderly Inmates"), he has not served 30 years or more of the term of imprisonment. Under section 4(b) ("Elderly Inmates with Medical Conditions"), he is not experiencing deteriorating mental or physical health that substantially diminishes his ability to function in a correctional facility. Under section 4(c) ("Other Elderly Inmates"), Mr. Share has not served the greater of 10 years or 75% of his full term. Although

he has served approximately 76% of his sentence, he has not served the minimum term of ten years to be considered under this category. (He has served approximately seven years and nine months of his sentence.)

Please provide Mr. Share with a copy of this decision.

cc: J. L. Norwood, Regional Director, NERO