

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

BILLY WAYNE McCLINTOCK,

Defendant.

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1:17-CR-00237-ELR-1

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**ORDER**

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Defendant Billy Wayne McClintock’s motion for sentence reduction [Doc. 70] pursuant to 18 U.S.C. § 3582(c)(1)(A), along with supplemental documentation, is currently pending before the Court and now has been fully briefed. The Government has filed a response [Doc. 72] indicating no opposition to Defendant’s motion. The Court finds that:

1. On January 25, 2018, a jury convicted Defendant Billy Wayne McClintock of seven counts resulting from a wire fraud conspiracy.
2. On July 9, 2018, Defendant was sentenced to 120 months of imprisonment.
3. Defendant is suffering from a terminal medical condition, as shown by credible evidence.

4. Defendant, who is 78 years old, does not present an ongoing danger to the safety of any person or the community.
5. Defendant's terminal medical condition and limited life expectancy constitute extraordinary and compelling reasons pursuant to Title 18, United States Code, Section 3582(c)(1)(A)(i).

**IT IS THEREFORE ORDERED** that Defendant Billy Wayne McClintock's term of imprisonment is hereby reduced to the time he has already served.

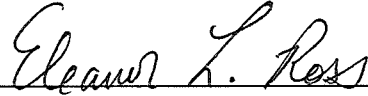
**IT IS FURTHER ORDERED** that Defendant shall be released from the custody of the Federal Bureau of Prisons as soon as his medical condition permits, the release plan is implemented, and the travel arrangements can be made.

**IT IS FURTHER ORDERED** that upon his release from custody of the Federal Bureau of Prisons, Defendant shall begin serving the three-year term of supervised release previously imposed.

The Clerk is **DIRECTED** to transmit a copy of this Order to the United States Bureau of Prisons, the United States Marshals, The United States

Probation Office, and counsel of record.

**SO ORDERED**, this 23<sup>rd</sup> day of April, 2020.



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Eleanor L. Ross  
United States District Judge  
Northern District of Georgia