

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

UNITED STATES OF AMERICA,

v.

JONATHAN BENNET,

Defendant.

CASE No. 3:04-CR-00083

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on the Defendant's November 27, 2006 Motion to Correct Pre-Sentence Report.

The Pre-Sentence Report is prepared by the Probation Officer to assist the Court. The Court is not bound by the Report and may choose to ignore portions of it in sentencing if it wishes. However, the Court does not control its contents and does not have the power to order a report altered. In this case, the report was accurate at the time of sentencing, and the change the movant seeks did not affect the imposition of sentence in any way. Any objection to the report must be directed to the Probation Officer.

The Court also lacks the power to issue routine orders regarding prisoner classification or other day-to-day matters to the Bureau of Prisons in the absence of a judicially cognizable statutory or constitutional violation. Objections to security classification must be directed to the Bureau of Prisons.

The motion is DENIED.

The Clerk of the Court is directed to send a certified copy of this Order to the Defendant and all counsel of record.

ENTERED: _____
U.S. District Judge

Date