

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 19-13399
Non-Argument Calendar

D.C. Docket No. 2:03-cr-14041-KMM-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PATRICK FREDERICK WILLIAMS

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Florida

(September 10, 2020)

Before WILSON, LUCK, and ANDERSON, Circuit Judges.

PER CURIAM:

Patrick Frederick Williams moved to reduce his sentence under section 404 of the First Step Act of 2018, Pub. L. No. 115-391, 132 Stat. 5194, 5222, § 404. The district court denied Williams's motion because, it concluded, he was ineligible for a reduction under section 404. Williams has appealed.

When the district court denied Williams's motion, it did not have the benefit of our decision in United States v. Jones, 962 F.3d 1290 (11th Cir. 2020). We do, and now that we do, the government has conceded “that Williams's conviction is a covered offense under the First Step Act [section] 404(a)” and “he is eligible to have the district court consider whether to reduce his sentence in consideration of the statutory and guideline ranges that would apply ‘as if’ the Fair Sentencing Act's higher crack amount thresholds were in effect.” Having reviewed Jones and the record in this case, we agree with the government and accept its confession of error. We therefore vacate the district court's order and remand for further proceedings under the First Step Act and Jones.

VACATED and REMANDED.