

United States Court of Appeals

**For the Seventh Circuit
Chicago, Illinois 60604**

July 12, 2005

Before

Hon. TERENCE T. EVANS, *Circuit Judge*

Hon. ANN CLAIRE WILLIAMS, *Circuit Judge*

Hon. DIANE S. SYKES, *Circuit Judge*

No. 04-1197

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

JEREMY FISH,
Defendant-Appellant.

Appeal from the United States
District Court for the
Eastern District of Wisconsin.

No. 03-CR-67

William C. Griesbach,
Judge.

O R D E R

This court ordered a limited remand so the district court could state on the record whether the sentence remains appropriate now that *United States v. Booker*, 125 S. Ct. 738 (2005), has limited the Guidelines to advisory status. See *United States v. Paladino*, 401 F.3d 471 (7th Cir. 2005).

The district judge has now replied that he would today impose the same sentence, knowing of the Guidelines' advisory status. The range under the Guidelines is 37 to 46 months, and Fish's sentence of 37 months is the lowest possible sentence. We do not see any reason why such a sentence would be deemed "unreasonable" in post-*Booker* practice. The judgment of the district court therefore is **AFFIRMED**.