

United States Court of Appeals

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

July 22, 2005

Before

Hon. KENNETH F. RIPPLE, *Circuit Judge*

Hon. DANIEL A. MANION, *Circuit Judge*

Hon. DIANE S. SYKES, *Circuit Judge*

No. 04-2570

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

SALOMON ORTEGA-VAZQUEZ,
Defendant-Appellant.

Appeal from the United States
District Court for the
Central District of Illinois.

No. 03 CR 30079

Jeanne E. Scott,
Judge.

ORDER

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 *Booker* issue was the only issue on appeal.

The district judge has replied that she would today impose the same sentence, knowing of the Guidelines' advisory status. The range under the Guidelines is 18 to 24 months, and Ortega-Vazquez's sentence of 18 months is the lowest possible sentence. Ortega-Vazquez's counsel now informs us, however, that Ortega-Vazquez has been released from prison and deported to Mexico, rendering this appeal moot. Accordingly, the appeal is **DISMISSED**.