

United States Court of Appeals
For the Seventh Circuit
Chicago, Illinois 60604

August 23, 2005

Before

Hon. FRANK H. EASTERBROOK, Circuit Judge

Hon. DANIEL A. MANION, Circuit Judge

Hon. TERENCE T. EVANS, Circuit Judge

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

No. 04-3647

v.

MICHAEL FADEYI,
Defendant-Appellant.

} Appeal from the United States
District Court for the Northern
District of Illinois, Eastern
Division.

} No. 00 CR 153
Matthew F. Kennelly, *Judge.*

Order

On a limited remand under *Paladino* the district judge stated that additional discretion under *Booker* would have affected the sentence. The United States has elected not to respond to this conclusion. Accordingly, the judgment of the district court is vacated, and the case is remanded for further proceedings consistent with *Booker* and *Paladino*.