

Not to be cited per Circuit Rule 53

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

October 24, 2005

Before

Hon. William J. Bauer, *Circuit Judge*

Hon. Ilana Diamond Rovner, *Circuit Judge*

Hon. Ann Claire Williams, *Circuit Judge*

UNITED STATES OF AMERICA,	]	Appeal from the United
Plaintiff-Appellee,	]	States District Court for
	]	the Southern District of
No. 03-3716	v.	Illinois.
	]	
RONALD E. BLAKE,	]	No. 02 CR 30086
Defendant-Appellant.	]	
	]	G. Patrick Murphy,
	]	Chief Judge.

ORDER

After concluding that Ronald Blake's conviction should be affirmed, we ordered a limited remand so that the district judge could determine whether the sentence he imposed is appropriate, given that the federal sentencing guidelines are no longer mandatory. *See United States v. Booker*, 125 S. Ct. 735 (2005).

On limited remand under *United States v. Paladino*, 401 F.3d 471 (7th Cir. 2005), the district judge concluded that he would have imposed a different sentence had he known that the federal sentencing guidelines were merely advisory.

Both parties were offered the opportunity to respond before we finally resolve the appeal; the defendant responded but the plaintiff responded late. Accordingly,

IT IS ORDERED that the sentence imposed by the district court is VACATED, and the case is REMANDED for re-sentencing.