

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

January 17, 2006

Before

Hon. William J. Bauer, *Circuit Judge*
Hon. Kenneth F. Ripple, *Circuit Judge*
Hon. Ilana Diamond Rovner, *Circuit Judge*

No. 03-3681

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

PAUL HENNINGSEN,
Defendant-Appellant.

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

No. 03 CR 10

J. P. Stadtmueller,
Judge.

O R D E R

On remand under *United States v. Paladino*, 401 F.3d 471 (7th Cir. 2005),¹ the district judge found no reason to disturb defendant-appellant Paul Henningsen's original sentence "in light of the parties' agreement that re-sentencing is unnecessary". See District Court order of December 9, 2005. We agree.

The court minutes of a status conference (docket entry no. 71) held on November 22, 2005, reveal that defendant Henningsen's attorney informed the district judge that Henningsen completed his sentence and paid all financial obligations and is now on supervised release. The notes of the hearing further reveal that counsel then advised the court that he was "not seeking any action upon the court", and the government added that the case had become moot.

Both parties were offered the opportunity to respond to the district court order of December 9, 2005, before we finally resolve the appeal. No one filed a response. Accordingly,

IT IS ORDERED that the sentence imposed by the district court is AFFIRMED as defendant has abandoned any issue regarding his original sentence on appeal.

¹ Contrary to our first opinion in this case, 387 F.3d 585, we did not vacate defendant's sentence. *United States v. Henningsen*, 402 F.3d 748 (7th Cir. 2005) (*Henningsen II*).