UNPUBLISHED ORDER
Not to be cited per Circuit Rule 53

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

February 1, 2006

Before

Hon. WILLIAM J. BAUER, Circuit Judge

Hon. RICHARD A. POSNER, Circuit Judge

Hon. ILANA DIAMOND ROVNER, Circuit Judge

UNITED STATES OF AMERICA, Plaintiff-Appellee, No. 04-3009 v. STEWART Z. MUSA, Defendant-Appellant.	] Appeal from the United] States District Court for] the Eastern District of] Wisconsin.]] No. 04 CR 19]] Charles N. Clevert, Jr.,] Judge.

Stewart Musa was sentenced to 27 months' imprisonment for transporting child pornography in violation of 18 U.S.C. § 2252(a)(1). On appeal, he argued that the district court erred by sentencing him under the mandatory sentencing guidelines, *see United States v. Booker*, 543 U.S. 220 (7th Cir. 2005). In response to the government's motion, we ordered a limited remand under the terms set forth in *United States v. Paladino*, 401 F.3d 471 (7th Cir. 2005), for a determination whether the district court would have imposed the same sentence had it understood that the guidelines were advisory.

The district judge has replied that he would have imposed a different sentence if the sentencing guidelines had been advisory when Musa was sentenced. We invited the parties to file position statements concerning the proper disposition of the case. Only Musa has responded, and he concurs with the district court that resentencing is appropriate. Accordingly,

IT IS ORDERED that Musa's sentence is **VACATED**, and the case is **REMANDED** to the district court for resentencing.