

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

March 17, 2006

Before

Hon. RICHARD D. CUDAHY, *Circuit Judge*

Hon. RICHARD A. POSNER, *Circuit Judge*

Hon. ANN CLAIRE WILLIAMS, *Circuit Judge*

Nos. 04-2557 and 04-2592

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

PIERRE DAWSON and ALFONZO
INGRAM,
Defendants-Appellants.

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

No. 02 CR 688

Elaine E. Bucklo, *Judge*.

ORDER

On *Paladino* remand, the judge stated simply: “The issue before me is whether I would have imposed the same sentences on these defendants if I had known the Sentencing Guidelines were advisory. In this case I would have imposed the same sentences.” The sentences were guideline sentences and such sentences are, as we held in *United States v. Mykytiuk*, 415 F.3d 606,608 (7th Cir. 2005), presumptively reasonable under the new regime of the *Booker* case. The defendants in the present case do not contend that the judge refused to consider or address any arguments they may have made for why the guidelines sentences imposed on them were unreasonable. Their only contention is that *Mykytiuk* is inconsistent with *Booker* and should be overruled. It is not inconsistent, and we shall not overrule it. The judgment is

AFFIRMED.