

UNPUBLISHED ORDER
Not to be cited per Circuit Rule 53

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

May 30, 2006

Before

Hon. RICHARD A. POSNER, *Circuit Judge*

Hon. DIANE P. WOOD, *Circuit Judge*

Hon. TERENCE T. EVANS, *Circuit Judge*

No. 03-4291

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

MICHAEL J. MURPHY,
Defendant-Appellant.

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

No. 03 CR 138

James F. Holderman,
Judge.

O R D E R

On August 25, 2005, we affirmed the district court's calculation of Michael Murphy's sentence, but ordered a limited remand under *United States v. Paladino*, 401 F.3d 471 (7th Cir. 2005), directing the sentencing judge to consider whether he would impose the same sentence if he had known the guidelines were advisory. The district court judge examined the record along with statements submitted by counsel, and concluded that he would have reimposed the original sentence. Noting the many victims Murphy defrauded for large sums and the irreparable harm he caused, the district court cited to 18 U.S.C. § 3553(a)(2)(A), and concluded that

his “365-month sentence properly ‘reflects the seriousness of the offense, promotes respect for the law and provides just punishment for the offense.’”

Both parties submitted arguments on the appropriate disposition of this appeal in light of the district court’s decision. We have considered those submissions and affirm because we conclude that Murphy’s sentence was reasonable.

AFFIRMED.