

UNPUBLISHED ORDER
Not to be cited per Circuit Rule 53

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

June 7, 2006

Before

Hon. William J. Bauer, *Circuit Judge*

Hon. Richard A. Posner, *Circuit Judge*

Hon. Daniel A. Manion, *Circuit Judge*

No. 04-2406

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

FEMI JOHNSON.
Defendant-Appellant.

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

No. 01 CR 103

Matthew F. Kennelly, *Judge*.

O R D E R

On *Paladino* remand, the district judge stated that he would have imposed the same guidelines sentence that he imposed originally had he known that the guidelines were merely advisory and not mandatory. Such a resentencing is presumptively reasonable and in this case the presumption has not been rebutted, the judge having fully considered the defendant's arguments for a lower standard in accordance with 18 U.S.C. § 3553(a).

AFFIRMED.