

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

June 23, 2006

Before

Hon. JOHN L. COFFEY, *Circuit Judge*

Hon. DANIEL A. MANION, *Circuit Judge*

Hon. DIANE P. WOOD, *Circuit Judge*

No. 04-1349

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

DONALD EDWARDS,
Defendant-Appellant.

Appeal from the United States District
Court for the Central District
of Illinois

No. 02-40143-001

Joe Billy McDade,
Judge.

O R D E R

Donald Edwards was sentenced to 248 months' imprisonment for violations of 21 U.S.C. § 841(a)(1), 18 U.S.C. § 924(c), and § 922(g)(1). He appealed, arguing that the district court plainly erred by sentencing him under the formerly mandatory guideline regime. *See United States v. Booker*, 543 U.S. 220 (2005). We remanded to ask whether the district court judge would have imposed a different sentence had he known that the guidelines were advisory. *See United States v. Paladino*, 401 F.3d 471, 481 (7th Cir. 2005). He answered that he would. Thus, we VACATE Edwards' sentence and REMAND for resentencing.