

UNPUBLISHED ORDER
Not to be cited per Circuit Rule 53

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

August 14, 2006

Before

Hon. DANIEL A. MANION, *Circuit Judge*

Hon. ILANA DIAMOND ROVNER, *Circuit Judge*

Hon. ANN CLAIRE WILLIAMS, *Circuit Judge*

No. 03-2132

UNITED STATES OF AMERICA,	)	
<i>Plaintiff-Appellee,</i>	)	Appeal from the United States
	)	District Court for the
	)	Northern District of Illinois,
<i>v.</i>	)	Eastern Division
	)	
ROBERT BELL	)	No. 02 CR 511
<i>Respondent-Appellant.</i>	)	
	)	Milton I. Shadur, Judge.

ORDER

On March 10, 2006, this Court ordered a limited remand to the district court pursuant to *United States v. Paladino*, 401 F.3d 471 (7th Cir. 2005), to determine whether the district court would have imposed a different sentence had it know that the United States Sentencing Guidelines were merely advisory. On July 27, 2006, the district court issued a statement that “this Court is not prepared to confirm definitively whether it would or would not have imposed the same sentence on Bell if it had understood the Sentencing Guidelines to be advisory rather than mandatory.”

In response to our invitation for argument regarding the appropriate

disposition of the appeal in light of the district court's decision, the United States responded that the matter should be remanded to the District Court for resentencing. The Defendant, Bell, did not respond.

IT IS ORDERED that the March 10, 2006 Order of this Court is vacated and the case is remanded to the district court for resentencing.