

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted December 14, 2006

Decided December 21, 2006

Before

Hon. RICHARD A. POSNER, *Circuit Judge*

Hon. JOEL M. FLAUM, *Circuit Judge*

Hon. MICHAEL S. KANNE, *Circuit Judge*

No. 04-2196

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

PEDRO HERRERA,
Defendant-Appellant.

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

No. 02 CR 729-2

David H. Coar,
Judge.

O R D E R

Pedro Herrera was convicted of conspiracy and attempted possession of cocaine and heroin and was sentenced to 360 months' imprisonment. *United States v. Carrillo*, 435 F.3d 767 (7th Cir. 2006). On appeal, we ordered a limited remand in light of our decision in *United States v. Paladino*, 401 F.3d 471 (7th Cir. 2005). *Carrillo*, 435 F.3d at 785. The district court has responded that he would have imposed the same sentence in this case had the Guidelines been advisory instead of mandatory. We invited the parties to file arguments addressing the district court's response but the deadline has passed without a response from Herrera. Herrera's sentence of 360 months' imprisonment is within the Guidelines range. We see no reason to say that this sentence is unreasonable and therefore the judgment is **AFFIRMED**.