

**NONPRECEDENTIAL DISPOSITION**

To be cited only in accordance with  
Fed. R. App. P. 32.1

**United States Court of Appeals**

For the Seventh Circuit

Chicago, Illinois 60604

Submitted August 25, 2008\*

Decided October 3, 2008

Before

FRANK H. EASTERBROOK, *Chief Judge*

JOHN L. COFFEY, *Circuit Judge*

DIANE P. WOOD, *Circuit Judge*

**No.** 07-2234

UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*

**v.**

JOHN A. RADERMACHER,  
*Defendant-Appellant.*

Appeal from the United  
States District Court for the  
Western District of  
Wisconsin.

No. 05-CR-39-C-01

Barbara B. Crabb, *Chief Judge.*

**Order**

After a limited remand under *United States v. Taylor*, 522 F.3d 731 (7th Cir. 2008), the district judge informed us that she would have imposed a lower sentence had she known about the extent of her discretion under *Kimbrough v. United States*, 128 S. Ct. 558 (2007).

Given this conclusion, the prejudice component of plain-error review has been established. The sentence is vacated, and the case is remanded for resentencing in light of *Kimbrough*.

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\*After examining the briefs and the record, we have concluded that oral argument is unnecessary. See Fed. R. App. P. 34(a); Cir. R. 34(f).