

NONPRECEDENTIAL DISPOSITION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

April 7, 2009

Before

RICHARD A. POSNER, Circuit Judge

DANIEL A. MANION, Circuit Judge

TERENCE T. EVANS, *Circuit Judge*

No. 06-2405

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

DEONDERY CHAMBERS,
Defendant-Appellant.

Appeal from the United States District
Court for the Southern District of
Illinois.

No. 4:05-cr-40444-JLF

G. Patrick Murphy, *Judge.*

ORDER

Upon consideration of the statements of position submitted by the parties in this case, which has been remanded to this court by the Supreme Court, *Chambers v. United States*, 129 S. Ct. 687 (2009). we remand this case to the district court for resentencing of the defendant in accordance with the Supreme Court's decision and the procedures set forth in *Nelson v. United States*, 129 S. Ct. 890 (2009); *Gall v. United States*, 128 S. Ct. 586 (2007), and *Kimbrough v. United States*, 128 S. Ct. 558 (2007), which allow a defendant in a resentencing proceeding to raise a new argument based on statutes or judicial decisions that postdate his original sentencing, provided they are not foreclosed by the decision in his appeal from his original, vacated sentence,

So Ordered.