

NONPRECEDENTIAL DISPOSITION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 December 28, 2009*

Decided December 31, 2009

Before

FRANK H. EASTERBROOK, *Chief Judge*

JOHN L. COFFEY, *Circuit Judge*

DANIEL A. MANION, *Circuit Judge*

No. 09-2471

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

THOMAS WESSON,
Defendant-Appellant.

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

No. 92 CR 118
Suzanne B. Conlon, *Judge.*

Order

Thomas Wesson asked the district court to reduce his sentence under Amendment 505 to the Sentencing Guidelines, which the Sentencing Commission has declared to be retroactive. The district court denied this application without stating why.

The absence of reasons violates Circuit Rule 50, which requires judges to explain every order that terminates proceedings in the district court. See also *United States v. Marion*, No. 09-2525 (7th Cir. Dec. 29, 2009).

* This successive appeal has been submitted to the original panel under Operating Procedure 6(b). 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).

We therefore vacate the judgment of the district court and remand for entry of a new decision, in compliance with Circuit Rule 50.

Rule 50 urges the parties to bring problems to the court's attention before briefing. Unfortunately that was not done here. As a result it will be necessary for any party unsatisfied with the disposition on remand to file a fresh notice of appeal. Another set of briefs will follow.