

**NONPRECEDENTIAL DISPOSITION**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 April 27, 2012

Decided May 30, 2012

**Before**

MICHAEL S. KANNE, *Circuit Judge*

DIANE P. WOOD, *Circuit Judge*

DAVID F. HAMILTON, *Circuit Judge*

No. 09-1032

WILLIAM R. KERR,  
*Petitioner-Appellant,*

*v.*

MICHAEL A. DITTMANN,  
*Respondent-Appellee.*

On Remand from the Supreme Court of  
the United States

No. 2:04-cv-01153-CNC

Charles N. Clevert, Jr., *Chief Judge*

## ORDER

After the district court's decision denying William Kerr's petition for a writ of habeas corpus, this court vacated its judgment and remanded the case for Kerr to develop his factual claims. *Kerr v. Thurmer*, 639 F.3d 315 (7th Cir. 2011). Respondent then filed a petition for a writ of *certiorari* with the United States Supreme Court, which granted the petition, vacated our judgment, and remanded for reconsideration in light of *Lafler v.*

*Cooper*, 132 S. Ct. 1376 (2012). Pursuant to Circuit Rule 54, the parties have now filed a joint statement discussing what action they believe to be appropriate. They have indicated that

no further action in this court is needed at this time, and thus that the case can simply be remanded to the district court for further proceedings consistent with *Lafler*. We agree with that position, and so we hereby order the case REMANDED for this purpose.