

NONPRECEDENTIAL DISPOSITION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 24, 2010
Decided September 10, 2010

Before

RICHARD A. POSNER, *Circuit Judge*

ANN CLAIRE WILLIAMS, *Circuit Judge*

JOHN DANIEL TINDER, *Circuit Judge*

No. 10-1281

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

YOGESH SHAH,
Defendant-Appellant.

Appeal from the United States
District Court for the Eastern
District of Wisconsin

No. 2:99-cr-00211-LA-1

Lynn Adelman, *Judge.*

ORDER

After we reversed the judgment with instructions to resentence, 559 F.3d 643 (7th Cir. 2009), the defendant was resentenced, and again appealed. His lawyer has filed an *Anders* brief and moved to dismiss the appeal as frivolous; he has responded.

On remand the judge had imposed a below-guidelines sentence of 108 months, the practical equivalent of time served. The defendant has been released from custody and removed to India. His convictions, which are not at issue, render him inadmissible to the United States; he has served his prison sentence; and the amount he has been ordered to pay in restitution is uncollectable. Even if the appeal is not moot, it is entirely frivolous, as explained in great and lucid detail in the *Anders* brief filed by the federal defender.

The motion is granted and the appeal DISMISSED.