

NONPRECEDENTIAL DISPOSITION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

Argued June 15, 2011

Decided July 11, 2011

Before

MICHAEL S. KANNE, *Circuit Judge*

ANN CLAIRE WILLIAMS, *Circuit Judge*

DIANE S. SYKES, *Circuit Judge*

No. 10-2884

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

BRYAN CAMPBELL,
Defendant-Appellant.

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

No. 09 CR 30

Matthew F. Kennelly,
Judge.

ORDER

Bryan Campbell brokered a meeting between a crack dealer and a potential customer. His stint as a middleman landed him a conviction for conspiracy to distribute a controlled substance. On appeal Campbell argues that the district court should have postponed his sentencing until the Fair Sentencing Act went into effect. We disagree; the court did not have the authority to postpone Campbell's sentencing to allow him to take advantage of a change in the law regarding sentences in crack cases. Campbell also contends that the district court ought to have sentenced him below his guidelines range using the powder-cocaine guidelines, as the court had done with his codefendant, the crack dealer. On this issue we conclude that the court did not sufficiently explain its refusal to use the same approach in sentencing Campbell, so we vacate Campbell's sentence and remand for additional explanation.