

NONPRECEDENTIAL DISPOSITION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 22, 2009

Decided January 12, 2010

Before

MICHAEL S. KANNE, *Circuit Judge*

TERENCE T. EVANS, *Circuit Judge*

DIANE S. SYKES, *Circuit Judge*

Nos. 07-1657 & 07-2685

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

RAY LONGSTREET and MICHAEL
ERVIN,
Defendants-Appellants.

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

No. 05 CR 471

Matthew F. Kennelly,
Judge.

ORDER

On June 8, 2009, we ordered these cases be returned to the district court on limited remand to query whether the district court wanted to resentence Ray Longstreet and Michael Ervin in light of the Supreme Court's decision in *Kimbrough v. United States*, 552 U.S. 85 (2007). On December 22, 2009, the district court communicated its desire to resentence the defendants. Accordingly, we **VACATE** Ray Longstreet's and Michael Ervin's sentences and **REMAND** their cases to the district court for resentencing.