

NONPRECEDENTIAL DISPOSITION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 May 22, 2018
Decided February 27, 2019

Before

JOEL M. FLAUM, *Circuit Judge*

KENNETH F. RIPPLE, *Circuit Judge*

ROBERT W. GETTLEMAN, *District Judge**

No. 17-2207

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

MATTHEW ELDER,
Defendant-Appellant.

Appeal from the United States District
Court for the Southern District of Indiana,
Evansville Division.

No. 3:13-cr-00017-RLY-CMM-8

Richard L. Young,
Judge.

ORDER

On August 15, 2018, this court ordered a limited remand under the procedure set forth in *United States v. Paladino*, 401 F.3d 471, 483–84 (7th Cir. 2005), so that the district court could state on the record whether it would impose the same sentence in light of this court’s conclusion that the appellant, Matthew Elder, was not subject to a twenty-year mandatory minimum sentence. *United States v. Elder*, 900 F.3d 491, 504 (7th Cir. 2018). The district court has replied that it wishes to further review its sentencing

* The Honorable Robert W. Gettleman of the Northern District of Illinois, sitting by designation.

determination in light of this court's conclusion and requests that the case be remanded for resentencing. Accordingly, pursuant to *Paladino*, the court VACATES Mr. Elder's sentence and REMANDS the case to the district court for resentencing.