

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT J. SMITH,

Defendant.

ORDER

04-CR-0091-C

The Court of Appeals for the Seventh Circuit has remanded this case for the sole purpose of determining whether this court would impose the same sentence on defendant now that the Sentencing Guidelines have been declared non-binding. Counsel for defendant and for the government are invited to submit their views on this question, in writing, no later than May 31, 2005.

Entered this 16th day of May, 2005.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge