

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 February 11, 2010*

Decided February 17, 2010

Before

FRANK H. EASTERBROOK, *Chief Judge*

DANIEL A. MANION, *Circuit Judge*

TERENCE T. EVANS, *Circuit Judge*

No. 09-2778

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

ABDELHAMID SEDRATI,
Defendant-Appellant.

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

No. 00 CR 1043
Matthew F. Kennelly, *Judge.*

Order

Appellant's brief presents a single contention: that *United States v. Demaree*, 459 F.3d 791 (7th Cir. 2006), should be overruled. *Demaree* holds that a district judge must use the sentencing manual that is in force on the date of sentencing, and that doing so does not violate the Ex Post Facto Clause. We have been asked many times to reconsider *Demaree* and have just as often declined. Appellant does not present a new argument, so there is no reason for this court to give this issue further consideration. Appellant has preserved his contentions for presentation to the Supreme Court. Given *Demaree*, appellant's sentence is unexceptionable. The judgment therefore is affirmed.

* After examining the briefs and the record, we have concluded that oral argument is unnecessary. See Fed. R. App. P. 34(a); Cir. R. 34(f).