

**FILED**

April 5, 2005

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III  
Clerk

\_\_\_\_\_  
No. 04-50688  
\_\_\_\_\_

Consolidated with 04-51043

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

CESAR EDUARDO CAMARILLO-RODRIGUEZ

Defendant - Appellant

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Appeals from the United States District Court  
for the Western District of Texas  
(03-CR-2066)  
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Before GARZA, DeMOSS, and CLEMENT, Circuit Judges.

PER CURIAM:\*

IT IS ORDERED that the Appellee's unopposed motion to vacate the sentence is granted.

IT IS FURTHER ORDERED that the Appellee's unopposed motion to remand the case to the United States District Court for the Western District of Texas, El Paso Division for resentencing is granted.

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\*Pursuant to 5<sup>th</sup> Cir. R. 47.5, the Court has determined that this opinion should not be published and is not precedent under the limited circumstances set forth in 5<sup>th</sup> Cir. R. 47.5.4.

IT IS FURTHER ORDERED that the Appellee's unopposed alternative motion to extend time to file Appellee's brief until fourteen (14) days from the court's denial of the Appellee's motion to vacate and motion to remand is moot.