

August 15, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-10215

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

STEVEN O'NEAL

Defendant - Appellant

Appeal from the United States District Court for the
Northern District of Texas, Dallas

Before SMITH, GARZA, and PRADO, Circuit Judges.

PER CURIAM:

IT IS ORDERED that appellee's unopposed motion to vacate sentence is GRANTED.

IT IS FURTHER ORDERED that appellee's unopposed motion to remand case to district court for re-sentencing in light of the Supreme Court decision in *USA v. Booker* is GRANTED.