

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

FILED

January 11, 2007

Charles R. Fulbruge III
Clerk

No. 06-50789

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

MIGUEL ROCHA-BELMONTES

Defendant - Appellant

Appeal from the United States District Court for the
Western District of Texas, El Paso

Before DAVIS, BARKSDALE, and BENAVIDES, Circuit Judges

PER CURIAM:*

IT IS ORDERED that Appellee's unopposed motion to vacate sentence of the district court is GRANTED.

IT IS FURTHER ORDERED that Appellee's unopposed motion to remand case for resentencing is GRANTED.

IT IS FURTHER ORDERED that Appellee's unopposed alternative motion to extend time to file Appellee's brief 30 days from the

*Pursuant to 5TH CIR. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

Court's denial of Appellee's motion to vacate and remand is
DISMISSED AS MOOT.