

**July 8, 2005**

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 04-11501

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UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

ARTURO ESQUIVEL-GUILLEN

Defendant - Appellant

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Appeal from the United States District Court for the  
Northern District of Texas, Dallas  
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Before WIENER, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:<sup>1</sup>

IT IS ORDERED that the parties' joint motion to vacate sentence is GRANTED.

IT IS FURTHER ORDERED that the parties' joint motion to remand case for resentencing is GRANTED.

IT IS FURTHER ORDERED that the parties' joint motion to extend time to file appellant's brief is DENIED AS UNNECESSARY.

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<sup>1</sup>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 Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5<sup>th</sup> Cir. R. 47.5.4.