

June 2, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-41019

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE VEGA III,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas

On Petition for Rehearing

Before WIENER, BENAVIDES, and DENNIS, Circuit Judges.

BY THE COURT:

IT IS ORDERED that this court, on its own motion, hereby grants panel rehearing of the decision heretofore filed on March 17, 2003; and

IT IS FURTHER ORDERED that said opinion, published as United States v. Vega, 324 F.3d 798 (5th Cir. 2003), is hereby withdrawn; and

IT IS FURTHER ORDERED that, in replacement of the aforesaid withdrawn decision, the attached substitute opinion be filed

forthwith.