

**March 22, 2005**

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 04-10821

---

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

CLINTON JENNINGS also known as, Gato also known as, Blacc  
Gato

Defendant - Appellant

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

Before WIENER, BENAVIDES, AND STEWART, Circuit Judges.\*

PER CURIAM:

IT IS ORDERED that the appellee's unopposed motion to vacate  
sentence and remand for resentencing is granted.

---

\*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 Cir. R 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5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.