

June 24, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-50763

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

RAMON GERARDO CHACON-AVITIA also known as, Ramon Gerardo
Chacon-Avita

Defendant - Appellant

Appeal from the United States District Court for the
Western District of Texas, El Paso
3:04-CR-475-ALL-DB

Before KING, Chief Judge, DeMOSS, and CLEMENT, Circuit Judges.

PER CURIAM:*

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

IT IS FURTHER ORDERED that appellant's unopposed motion to extend time to file appellant's supplemental brief 20 days from the Court's denial of appellant's motion to remand is DENIED as unnecessary.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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