

May 20, 2005

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 04-51117

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

JENNIFER MARIE YOUNT

Defendant - Appellant

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

Before WIENER, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:*

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

IT IS FURTHER ORDERED that the Appellee's unopposed motion to remand to District Court for resentencing in light of the Supreme Court's opinion in Booker and this Court's opinion in Mares is GRANTED.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

IT IS FURTHER ORDERED that the Appellee's unopposed alternative motion to extend time to file the Appellee's brief fourteen (14) days from the Court's denial of the Appellee's motion to vacate and remand is DENIED AS MOOT.