

June 24, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-51386

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

ROBBIE WOOSLEY

Defendant - Appellant

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

Before JONES, BARKSDALE, and PRADO, Circuit Judges.

PER CURIAM:¹

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 the case to the United States District Court for the Western District of Texas, Austin Division for resentencing is GRANTED.

IT IS FURTHER ORDERED that the Appellee's alternative

¹Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Cir. R. 47.5.4.

unopposed motion for an extension of 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.