

UNITED STATES COURT OF APPEALS
for the Fifth Circuit

No. 95-60013
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

VERSUS

KELVIN HOWARD DUNSON,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Mississippi
(94-CR-71)

(September 25, 1995)

Before DAVIS, BARKSDALE and DeMOSS, Circuit Judges.

PER CURIAM:¹

After the district court imposed sentence in this case, this court rendered a decision in United States v. Hernandez, No. 94-60586, 1995 WL 509345 (5th Cir., Aug. 29, 1995), interpreting § 5G1.3, U.S.S.G. Because the district court did not have the benefit of this decision when it considered how its sentence should relate to Dunson's state sentence, we vacate the district court's sentence and remand for resentencing in light of Hernandez.

VACATED and REMANDED.

¹ Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the court has determined that this opinion should not be published.