

April 20, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

03-11280
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

LANCE ALLEN OBENCHAIN

Defendant - Appellant

Appeal from the United States District Court
for the Northern District of Texas
(03-CR-51)

Before HIGGINBOTHAM, DAVIS, and PRADO, Circuit Judges.*

PER CURIAM:

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

IT IS FURTHER ORDERED that appellee's unopposed motion to remand case to the United States District Court for the Northern District of Texas, Lubbock Division is GRANTED.

IT IS FURTHER ORDERED that appellee's unopposed alternative motion to extend time to file appellee's brief until 14 days from the Court's denial of appellee's motion to vacate sentence and 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*Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Cir. R. 47.5.4.