

September 2, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-50834
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

LORAN BRUCE PIERSON

Defendant - Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. W-95-CR-093-ALL

Before KING, Chief Judge, and JONES and DENNIS, Circuit Judges.

PER CURIAM:*

In April 1997 Loran Bruce Pierson was convicted of mailing a destructive device causing serious bodily injury and property damage, use of a destructive device during and in relation to a crime of violence, and firearm possession by a person subject to a court order. He was sentenced to a term of 38 years' imprisonment, and he was also ordered to immediately pay \$300 in special assessments and a fine of \$15,000.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

In June 2003 the district court unilaterally amended the original judgment "[t]o establish the defendant's minimum payment of \$25 per quarter." The amended judgment, like the original judgment, provided that Pierson was to immediately pay a \$300 special assessment.

The district court did not explain its exercise of jurisdiction, and on these facts we are unable to discern any basis for amending the original judgment. Because the district court lacked jurisdiction to amend its original judgment, the amended judgment must be vacated.

We therefore VACATE the order of the district court amending Pierson's sentence and REMAND with instructions to reinstate the original judgment.

VACATED AND REMANDED.