

June 24, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-50866

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

JUAN JOSE ORNELAS-ESTRADA

Defendant - Appellant

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

Before KING, Chief Judge, DeMOSS and CLEMENT, Circuit Judges.

PER CURIAM:*

IT IS ORDERED that the Appellant's unopposed motion to remand the case to District Court for resentencing is granted.

IT IS FURTHER ORDERED that the Appellant's unopposed alternative motion to extend time to file Appellant's supplemental brief until twenty (20) days following the denial of

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the motion to remand with the government's response brief to be due fifteen (15) days after receipt of Appellant's brief is denied as unnecessary.