

FILED

March 1, 2006

Charles R. Fulbruge III
Clerk

UNITED STATES COURT OF APPEALS
FIFTH CIRCUIT

No. 05-30536

UNITED STATES OF AMERICA,

Plaintiff - Appellant,

versus

RICHARD ROWAN, II,

Defendant - Appellee.

Appeal from the United States District Court
For the Western District of Louisiana
USDC No. 6:04-CR-60010

Before JOLLY, GARZA, and PRADO, Circuit Judges.

PER CURIAM:*

We VACATE Rowan's sentence and REMAND to the district court for re-sentencing pursuant to *United States v. Duhon*, No. 05-30387 (5th Cir. Feb. 17, 2006).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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