

**January 8, 2007**

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

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Charles R. Fulbruge III  
Clerk

No. 06-50833  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

JESUS SALVADOR ALVAREZ-ANIMA,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
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Before SMITH, WIENER, and OWEN, Circuit Judges.

PER CURIAM:\*

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

IT IS FURTHER ORDERED that appellee's unopposed motion to remand for resentencing is GRANTED.

IT IS FURTHER ORDERED that appellee's unopposed motion to extend time to file appellee's brief for 30 days from this court's denial of appellee's motion to vacate and remand is DENIED as unnecessary.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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