

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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No. 13-10636  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

January 23, 2015

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

DAVID WAYNE HATCHER,

Defendant - Appellant

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:12-CR-96-1

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ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES

Before JOLLY, SMITH, and CLEMENT, Circuit Judges.

PER CURIAM:\*

We previously affirmed the district court's restitution order imposed in connection with David Wayne Hatcher's guilty-plea conviction for two counts of child pornography. *United States v. Hatcher*, 559 F. App'x 300 (5th Cir. 2014). The Supreme Court granted certiorari, vacated our decision, and

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 13-10636

remanded for further consideration in light of *Paroline v. United States*, 134 S. Ct. 1710 (2014). *Hatcher v. United States*, 135 S. Ct. 129 (2014). *Paroline* overruled our circuit precedent and held that 18 U.S.C. § 2259 requires “restitution in an amount that comports with the defendant’s relative role in the causal process that underlies the victim’s general losses.” *Paroline*, 134 S. Ct. at 1727. We now VACATE the district court’s restitution order and REMAND the case to the district court for proceedings consistent with the Supreme Court’s opinion in *Paroline*.