

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

May 15, 2025

Lyle W. Cayce
Clerk

No. 24-10505
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

LEOVARDO LUNA,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:21-CR-164-1

Before HIGGINBOTHAM, JONES, and OLDHAM, *Circuit Judges*.

PER CURIAM:*

We VACATE Leovardo Luna's sentence and REMAND for resentencing to allow the district court to consider the impact of *United States v. Rose*, 127 F.4th 619 (5th Cir. 2025), in the first instance. The alternative joint motion for an extension of briefing is DENIED AS MOOT.

* This opinion is not designated for publication. See 5TH CIR. R. 47.5.