

**FILED**

February 1, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 04-11042

---

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

PARIS D ST JOHN

Defendant - Appellant

-----  
Appeal from the United States District Court for the  
Northern District of Texas, Dallas  
3:03-CR-442  
-----

Before SMITH, GARZA, and PRADO, Circuit Judges.

PER CURIAM:\*

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

IT IS FURTHER ORDERED that Appellee's unopposed motion to remand case to the district court for resentencing is GRANTED.

---

\*Pursuant to 5<sup>TH</sup> 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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5<sup>TH</sup> CIR. R. 47.5.4.