

FILED

April 8, 2005

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 04-11171

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

JUAN LOZANO-CADENA also known as, Juan Guadalupe
Lozano-Cadena

Defendant - Appellant

Appeal from the United States District Court for the
Northern District of Texas, Dallas
3:04-CR-45-ALL-N

Before DAVIS, SMITH, and DENNIS, 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 to district court for resentencing is GRANTED.

* 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opinion should not be published and is not precedent except under the limited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.