

FILED

April 12, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-50177

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

JAIRO DARLENY MINERO-MENDEZ

Defendant - Appellant

Case No. 04-50906

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

JOSE ISRAEL LOBOS

Defendant - Appellant

Appeals from the United States District Court for the
Western District of Texas, Del Rio
DR-03-CR-562-1-AML

Before DAVIS, SMITH, and DENNIS, Circuit Judges.

PER CURIAM:*

IT IS ORDERED that the Appellee's unopposed motion to vacate

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the sentences is GRANTED.

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

IT IS FURTHER ORDERED that the Appellee's unopposed alternative motion to extend time to file the Appellee's brief fourteen (14) days from the Court's denial of the Appellee's motion to vacate and remand is DENIED as unnecessary.