

May 17, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 04-50920

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

GUSTAVO BENITEZ ARANDA also known as, Leonel Villa Luna

Defendant - Appellant

Appeal from the United States District Court for the
Western District of Texas, El Paso

Before WIENER, BENAVIDES, and STEWART, 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 the case to the Western District of Texas, El Paso Division 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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

IT IS FURTHER ORDERED that Appellee's unopposed motion to withdraw Appellee's brief is granted.