

FILED

July 13, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-51432

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

RAMON SILVA-GALVAN

Defendant - Appellant

Appeal from the United States District Court for the
Western District of Texas, Del Rio
2:04-CR-665-ALL-WWJ

Before DAVIS, SMITH, and DENNIS, Circuit Judges.

PER CURIAM:*

IT IS ORDERED that the unopposed motion of appellee to vacate sentence is GRANTED.

IT IS FURTHER ORDERED that the unopposed motion of appellee to remand the case to the United States 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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

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