

**FILED**

**January 12, 2007**

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 06-50511

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UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

LEONARDO ARAGON-REYNA

Defendant - Appellant

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Appeal from the United States District Court for the  
Western District of Texas, Austin  
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Before DAVIS, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

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

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

IT IS FURTHER ORDERED that the Appellee's unopposed alternative motion to extend time to file Appellee's brief until 30 days after Court's denial of motion to vacate and remand is DISMISSED AS MOOT.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5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