

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 06-50938

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United States Court of Appeals  
Fifth Circuit  
**FILED**  
January 18, 2007

Charles R. Fulbruge III  
Clerk

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

JOSE JUAN RAMIREZ-ORTIZ

Defendant - Appellant

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

PER CURIAM:\*

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

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

IT IS FURTHER ORDERED that Appellee's unopposed motion to extend time to file Appellee's brief 30 days from the Court's

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5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

denial of Appellee's motion to vacate sentence and to remand case  
is DENIED AS UNNECESSARY.