

January 11, 2007

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 06-50992

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

SERGIO ADAN ARUJUO also known as, Serfio Arujuo also known  
as, Mario Hernandez also known as, Pedro Rodriguez-Herrera

Defendant - Appellant

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Appeal from the United States District Court for the  
Western District of Texas, Pecos  
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Before KING, HIGGINBOTHAM and GARZA, Circuit Judges.

PER CURIAM:\*

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

IT IS FURTHER ORDERED that the appellant's unopposed motion to remand case to United States District Court for re-sentencing is GRANTED.

It IS FURTHER ORDERED that the appellant's unopposed motion to issue the mandate forthwith upon entry of the court's order is GRANTED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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