

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

UNITED STATES OF AMERICA

vs

CASE NO: 3:07cr7/LAC

OSCAR ARREGUIN-AGUILAR

ORDER

This Cause is before the Court on remand from the Eleventh Circuit Court of Appeals, whose original holding on appeal in this case was vacated by the United States Supreme Court. Remand is for further consideration in light of the Solicitor General's brief before the Supreme Court, and, upon review, this Court concurs with the position stated in that brief.

Therefore, Defendant's sentence of 46 months imposed on April 24, 2007, is reduced to 21 months, but if this sentence is less than the amount of time the defendant has already served, this sentence is reduced to a "Time Served" sentence. In all other respects, the original sentence imposed in the Judgment and Commitment Order filed April 27, 2007, shall remain unchanged.

ORDERED this 25th day of August, 2008.

s/L. A. Collier
LACEY A. COLLIER
Senior United States District Judge