

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 12-13949

D.C. Docket No. 1:07-cr-20793-UU-2

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

CLINTON DEON SCARLETT,

Defendant - Appellant.

Appeal from the United States District Court
for the Southern District of Florida

(April 18, 2013)

Before DUBINA, Chief Judge, BARKETT and KLEINFELD,* Circuit Judges.

PER CURIAM:

*Honorable Andrew J. Kleinfeld, United States Circuit Judge for the Ninth Circuit, sitting by designation.

Clinton Deon Scarlett appeals the district court's denial of his motion for a sentence reduction, pursuant to 18 U.S.C. § 3582(c)(2) and Amendment 750 to the Sentencing Guidelines, following his conviction for maintaining a drug-involved premise in violation of 21 U.S.C. § 856(a)(1). Because of the lack of clarity in the record, we vacate Scarlett's original sentence and remand to the district court to resentence in accordance with Amendment 750.

VACATED and REMANDED.