

**CORRECTED**

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 12-14628-CC

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

TONY HENDERSON,  
a.k.a. Hollywood,

Defendant - Appellant.

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

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**ON REMAND FROM THE  
SUPREME COURT OF THE UNITED STATES**

Before: WILLIAM PRYOR, MARTIN, and JORDAN, Circuit Judges.

PER CURIAM:

The Supreme Court vacated our prior decision in this case, *United States v. Henderson*, 555 F. App'x 851 (11th Cir. 2014), holding that 18 U.S.C. § 922(g) does not categorically bar a convicted felon from transferring lawfully obtained

firearms to a third party “unless [the transfer] would allow the felon to later control the [firearms], so that he could either use them or direct their use.” *United States v. Henderson*, 135 S. Ct. 1780, 1783 (2015). We remand to the district court so that it may consider Mr. Henderson’s request that the FBI transfer his firearms to his wife or a friend in accordance with the principles articulated by the Supreme Court in *Henderson*. *See id.* at 1787 (“[W]hen a court is satisfied that a felon will not retain control over his guns, § 922 does not apply, and the court has equitable power to accommodate the felon’s request [for a transfer].”).

**REMANDED WITH INSTRUCTIONS.**