

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

\_\_\_\_\_  
No. 16-30349  
\_\_\_\_\_

United States Court of Appeals  
Fifth Circuit

**FILED**

March 10, 2017

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

ROBERTO BERMUDEZ-FLORES,

Defendant - Appellant

\_\_\_\_\_  
Appeal from the United States District Court  
for the Eastern District of Louisiana  
USDC No. 2:15-CR-221-1  
\_\_\_\_\_

Before BARKSDALE, GRAVES, and HIGGINSON, Circuit Judges.

PER CURIAM:\*

Finding the Government breached its plea agreement with the defendant, we VACATE his conviction and sentence and REMAND this case for reassignment to a different judge.<sup>1</sup> Because defense counsel represents that the defendant may be released as early as next month, we direct the district court to resolve this case expeditiously.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

<sup>1</sup> We remand for proceedings before a different judge not because of any “impartiality of the . . . judge who heard this case,” but because our precedent commands this result. *United States v. Self*, 596 F.3d 245, 250 (5th Cir. 2010) (citation omitted).