

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

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No. 16-40232  
Conference Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**  
September 28, 2017

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

EDGAR RAYON-GONZALEZ,

Defendant - Appellant

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

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ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES

Before REAVLEY, ELROD, and GRAVES, Circuit Judges.

PER CURIAM:

This case was remanded by the United States Supreme Court for further consideration in light of *Esquivel- Quintana v. Sessions*, 137 S. Ct. 1562 (2017). Edgar Rayon-Gonzalez filed opposed motions to summarily vacate the district court judgment, remand for resentencing, and issue the mandate forthwith. We subsequently allowed the Government to file a response out of time. Thereafter, we denied Rayon-Gonzalez's motions and called for supplemental briefing.

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After due consideration, we VACATE Rayon-Gonzalez's sentence and REMAND to the district court for resentencing. The district court may consider all relevant factors on resentencing.