

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 08-4227

IN THE MATTER OF THE APPLICATION
OF THE UNITED STATES OF AMERICA
FOR AN ORDER DIRECTING A PROVIDER OF
ELECTRONIC COMMUNICATION
SERVICE TO DISCLOSE RECORDS TO THE GOVERNMENT

United States of America,
Appellant

On Appeal from the United States District Court
for the Western District of Pennsylvania
(D.C. No. 2-07-mj-00524-001)
District Judge: Honorable Terrence F. McVerry

Argued February 12, 2010

Before: SLOVITER, ROTH, and TASHIMA,* Circuit Judges

JUDGMENT

This cause came on to be heard on the record from the United States District Court for the Western District of Pennsylvania and was argued on February 12, 2010.

On consideration whereof, it is now hereby ADJUDGED and ORDERED that the judgment of the District Court entered September 10, 2008, be and the same is hereby vacated and the case is remanded for further proceedings. All of the above in accordance

* Honorable A. Wallace Tashima, Senior Judge of the United States Court of Appeals for the Ninth Circuit, sitting by designation.

with the opinion of this Court.

Attest:

DATED: September 7, 2010

/s/ Marcia M. Waldron
Clerk