

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-8234**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

SAIFULLAH ANJUM RANJHA,

Defendant - Appellant.

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Appeal from the United States District Court for the District of Maryland, at Baltimore. Marvin J. Garbis, Senior District Judge. (1:07-cr-00239-MJG-1; 1:09-cv-01379-MJG)

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Submitted: May 27, 2011

Decided: June 10, 2011

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Before GREGORY, SHEDD, and WYNN, Circuit Judges.

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Vacated and remanded by unpublished per curiam opinion.

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Saifullah Anjum Ranjha, Appellant Pro Se. Christine Manuelian, Assistant United States Attorney, Baltimore, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Saifullah Anjum Ranjha appeals from the district court's order denying his 28 U.S.C.A. § 2255 (West Supp. 2010) motion to vacate, set aside, or correct his sentence. The district court issued a certificate of appealability noting the Supreme Court decision in United States v. Santos, 553 U.S. 507 (2008), and the Supreme Court's remand of a Ninth Circuit decision in Moreland v. United States, 129 S. Ct. 997 (2009).

This appeal was placed in abeyance pending this court's decision in United States v. Halstead, 634 F.3d 270 (4th Cir. 2011). In light of our holding in Halstead, we vacate the district court's order and remand this proceeding to the district court for further consideration in light of Halstead, and particularly to determine whether this case presents the "merger problem" described by the Supreme Court in Santos. See 553 U.S. at 516-17 (plurality opinion); id. at 527 (Stevens, J., concurring). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

VACATED AND REMANDED