

FILED: August 26, 2016

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-4134
(5:14-cr-00083-RLV-DCK-1)

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JEFFREY DEAN TUCKER,

Defendant - Appellant.

O R D E R

Upon consideration of the joint motion for partial remand, the court grants the motion, vacates the defendant's sentence, and remands the case to the district court for the limited purpose of resentencing the defendant in light of United States v. Gardner, 823 F.3d 793 (4th Cir. 2016).

The clerk shall forward a copy of this order, accompanied by a copy of the joint motion, to the district court.

The parties shall file a status report on September 26, 2016, and every thirty days thereafter, and shall immediately notify this court when the district court has resentenced the defendant.

For the Court

/s/ Patricia S. Connor, Clerk