

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

April 9, 2008

No. 06-30273
Summary Calendar

Charles R. Fulbruge III
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

DONNIE JERMAINE LEWIS, also known as D-Lew

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 2:04-CR-20145-5

ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES

Before DAVIS, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Donnie Jermaine Lewis' sentence is VACATED and this matter is REMANDED to district court for resentencing in the light of Kimbrough v. United States, 128 S. Ct. 558 (2007).

SENTENCE VACATED; REMANDED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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