

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

United States Court of Appeals
Fifth Circuit

FILED

August 13, 2013

No. 08-51185

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ANTHONY JAMES KEBODEAUX, also known as Anthony Kebodeaux,

Defendant-Appellant.

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

**ON REMAND FROM
THE SUPREME COURT OF THE UNITED STATES**

Before STEWART, Chief Judge, KING, JOLLY, DAVIS, JONES, SMITH,
GARZA, BENAVIDES, DENNIS, CLEMENT, PRADO, OWEN, ELROD,
SOUTHWICK, HAYNES, and GRAVES, Circuit Judges.*

PER CURIAM:

This court reversed the conviction and rendered a judgment of dismissal.

* Judge Higginson was not a member of the court when this case was submitted to the court en banc and did not participate in the original en banc decision or in this decision.

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United States v. Kebodeaux, 687 F.3d 232 (5th Cir. 2012) (en banc). The Supreme Court reversed and remanded. *United States v. Kebodeaux*, 133 S. Ct. 2496 (2013).

The defendant was convicted after a bench trial based on stipulated facts. On appeal, he raised only the issue that the Supreme Court has now decided adversely to him. No further proceedings are required. The judgment of conviction is AFFIRMED.