IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 12-41319

UNITED STATES OF AMERICA,

Plaintiff – Appellee

v.

REYNALDO VEGA,

Defendant – Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC 7:11-CR-1446-1

ON REMAND FROM
THE SUPREME COURT OF THE UNITED STATES

Before KING, DAVIS, and ELROD, Circuit Judges.

PER CURIAM:*

Defendant-Appellant Reynaldo Vega was convicted of receiving child pornography in violation of 18 U.S.C. § 2252A(a)(2)(A). The trial court sentenced Vega to 210 months' imprisonment and ordered that Vega was jointly and severally liable for the remainder of a restitution award to one of his victims. On appeal, Vega challenged the sentence of imprisonment but not the order of restitution. We affirmed Vega's sentence.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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The Supreme Court vacated our judgment and remanded for further consideration in light of *Paroline v. United States*, —— U.S. ——, 134 S. Ct. 1710 (2014). In *Paroline*, the Court held that 18 U.S.C. § 2259 requires "restitution in an amount that comports with the defendant's relative role in the causal process that underlies the victim's general losses." 134 S.Ct. at 1727. Although Vega did not challenge the order of restitution in his initial appeal, the Government has waived any claim of appellate procedural default and requested that this case be remanded to the district court for proceedings consistent with *Paroline*. The parties do not argue that *Paroline* affected Vega's sentence beyond the order of restitution.

Accordingly, we VACATE the order of restitution and REMAND for proceedings consistent with the Supreme Court's opinion in *Paroline*.

RESTITUTION ORDER VACATED; REMANDED.