

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

United States Court of Appeals
Fifth Circuit

FILED

May 21, 2018

Lyle W. Cayce
Clerk

No. 16-41275
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JAVIER LOPEZ CANTU,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 1:97-CR-20-1

Before REAVLEY, GRAVES, and HO, Circuit Judges.

PER CURIAM:*

Javier Lopez Cantu appeals the sentence imposed upon the revocation of the term of supervised release he was serving for a money laundering offense. He and the Government agree that the 30-month sentence exceeds the statutory maximum of 24 months. *See* 18 U.S.C. § 1956(a), (h); 18 U.S.C. § 3559(a)(3); 18 U.S.C. § 3583(e)(3). We decline to review the sentence, however, under the concurrent sentence doctrine as the district court also

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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imposed a concurrent revocation sentence of 30 months for a drug offense. *See United States v. Soape*, 169 F.3d 257, 266 n.4 (5th Cir. 1999). To avoid any adverse collateral consequences, we VACATE the sentence for the money laundering offense and REMAND to the district court with instructions to suspend its imposition. *See United States v. Stovall*, 825 F.2d 817, 824 (5th Cir.), *amended on other grounds by* 833 F.2d 526 (5th Cir. 1987).