

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

No. 18-50877
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED
December 31, 2018

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

MARK ANTHONY RODRIGUEZ,

Defendant - Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 5:18-CR-572-1

Before KING, SOUTHWICK, and ENGELHARDT, Circuit Judges.

PER CURIAM:*

Mark Anthony Rodriguez appeals from the order of the district court denying his motion to revoke the magistrate judge's pretrial detention order. Federal Rule of Appellate Procedure 9 requires that the "district court must state in writing, or orally on the record, the reasons for an order regarding the release or detention of a defendant in a criminal case." Fed. R. App. P. 9(a)(1). In the instant case, there was no hearing by the district court and therefore no

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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opportunity for an oral statement. The written statement of the order did not include reasons for the detention of the defendant. Accordingly, we REMAND to the district court for the limited purpose of providing the reasons for the order in writing.