

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

No. 19-20786
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

May 27, 2020

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

KRISTOPHER BROCK,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:02-CR-364-1

Before KING, GRAVES, and WILLETT, Circuit Judges.

PER CURIAM:*

Kristopher Brock is serving a 360-month sentence imposed in 2004 following his guilty plea to two counts of possession with intent to distribute five grams or more of cocaine base. He moved for resentencing under the First Step Act of 2018 (FSA), § 404, Pub. L. No. 115-391, 132 Stat. 5194, 5222 (2018). The district court denied the motion; however, the reason for the district court's denial is not apparent from the record. We thus REMAND for the limited

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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purpose of allowing the district court to explain why it denied Brock's motion, and we retain jurisdiction as is customary for limited remands. *See United States v. Jackson*, 945 F.3d 315, 318 (5th Cir. 2019) (affirming after a limited remand for the district court to provide reasons for the denial of the defendant's FSA motion), *cert. denied*, No. 19-8036, 2020 WL 1906710 (U.S. Apr. 20, 2020); *see, e.g., United States v. Gomez*, 905 F.3d 347, 354-56 (5th Cir. 2018).