

United States Court of Appeals  
for the Fifth Circuit

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No. 20-40597

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United States Court of Appeals  
Fifth Circuit

**FILED**

April 28, 2023

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee/Cross-Appellant,*

*versus*

ALEXANDRU BITTNER,

*Defendant—Appellant/Cross-Appellee.*

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 4:19-CV-415

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ON REMAND FROM  
THE SUPREME COURT OF THE UNITED STATES

Before RICHMAN, *Chief Judge*, and CLEMENT and DUNCAN, *Circuit Judges*.

PER CURIAM:\*

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\* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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The case is REMANDED to the district court for further proceedings in light of the Supreme Court's decision in *Bittner v. United States*, 143 S. Ct. 713 (2023).