## UNITED STATES COURT OF APPEALS

## FOR THE SIXTH CIRCUIT

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Filed: December 06, 2010

Mr. Joseph P. Schmitz U.S. Attorney's Office 801 W. Superior Avenue, Suite 400 Cleveland, OH 44113

Mr. Robert Smith III 75 Public Square Suite 1111 Cleveland, OH 44113-0000

Re: Case No. 08-4268, *United States of America v. James Stewart* Originating Case No. 07-00289-001

Dear Counsel,

The court today announced its decision in the above-styled case.

Enclosed is a copy of the court's opinion together with the judgment which has been entered in conformity with Rule 36, Federal Rules of Appellate Procedure.

Yours very truly,

Leonard Green, Clerk

Linda K. Martin Deputy Clerk

**Enclosures** 

Mandate to issue.