

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

Nos. 08-5707/5708

UNITED STATES OF AMERICA,  
Plaintiff - Appellee,

v.

ROBERT WETTSTAIN (No. 08-5707) and  
JOHN EDWARD STEWART (No. 08-5708),  
Defendants - Appellants.

**FILED**  
**Aug 30, 2010**  
LEONARD GREEN, Clerk

Before: MARTIN and GRIFFIN, Circuit Judges; DUGGAN, District Judge.

**JUDGMENT**

On Appeal from the United States District Court  
for the Western District of Kentucky at Owensboro.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that defendants' convictions are AFFIRMED. Further, the mandatory minimum life sentences imposed on Count I on defendants John Edward Stewart and Robert Wettstain are AFFIRMED. IT IS FURTHER ORDERED that defendant Wettstain's life sentences on Counts III and IV and Stewart's life sentences on Counts II and IV are REVERSED and the cases are REMANDED for resentencing in accordance with the opinion of this court.

**ENTERED BY ORDER OF THE COURT**



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Leonard Green, Clerk