UNITED STATES COURT OF APPEALS

FOR THE SIXTH CIRCUIT

Leonard Green Clerk 100 EAST FIFTH STREET, ROOM 540 POTTER STEWART U.S. COURTHOUSE CINCINNATI, OHIO 45202-3988

Tel. (513) 564-7000 www.ca6.uscourts.gov

Filed: May 11, 2011

Mr. Benjamin C. Glassman U.S. Attorney's Office 221 E. Fourth Street Suite 400 Atrium II Building Cincinnati, OH 45202

Mr. Dwight K. Keller U.S. Attorney's Office 200 W. Second Street Suite 602 Dayton, OH 45402

Mr. Mark William Mosier Covington & Burling 1201 Pennsylvania Avenue, N.W. Washington, DC 20004

Re: Case No. 09-3462, *Arthur Vanwinkle v. United States of America* Originating Case Nos. 08-00415; 07-00070-001

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 cc: Arthur Vanwinkle

Enclosures

Mandate to issue.