

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 09-5828

UNITED STATES OF AMERICA,  
Plaintiff - Appellee,

v.

CALVIN R. MORGAN,  
Defendant - Appellant.

Before: MARTIN, GILMAN, and WHITE, Circuit Judges.

**JUDGMENT**

On Appeal from the United States District Court  
for the Eastern District of Kentucky at Frankfort.

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

IN CONSIDERATION WHEREOF, it is ORDERED that the sentence imposed by the district court is VACATED and the case is REMANDED for resentencing consistent with the opinion of this court.

**ENTERED BY ORDER OF THE COURT**



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Leonard Green, Clerk

**FILED**  
**Aug 07, 2012**  
LEONARD GREEN, Clerk