

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 11-2331

UNITED STATES OF AMERICA,  
Plaintiff - Appellant,

**FILED**  
**Feb 28, 2013**  
DEBORAH S. HUNT, Clerk

v.

TIMOTHY THOMAS SIMS,  
Defendant - Appellee.

Before: KETHLEDGE and WHITE, Circuit Judges; LUDINGTON, District Judge.

**JUDGMENT**On Appeal from the United States District Court  
for the Western District of Michigan at Grand Rapids.

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

IN CONSIDERATION WHEREOF, it is ORDERED that the judgment of the district court to exclude all evidence related to Sims's possession of child pornography is VACATED, and the case REMANDED for further proceedings consistent with the opinion of this court.

**ENTERED BY ORDER OF THE COURT**

Deborah S. Hunt, Clerk