

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

No. 11-5194

UNITED STATES OF AMERICA,
Plaintiff - Appellee,

v.

JAMES LAPOINTE,
Defendant - Appellant.

Before: MERRITT and ROGERS, Circuit Judges; POLSTER, District Judge.

JUDGMENT

On Appeal from the United States District Court
for the Eastern District of Tennessee at Knoxville.

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

IN CONSIDERATION WHEREOF, it is ORDERED that the judgment of the district court on Count II is AFFIRMED. IT IS FURTHER ORDERED that the judgment on Count I is REVERSED, and the case REMANDED for further proceedings consistent with the opinion of the court.

ENTERED BY ORDER OF THE COURT



Leonard Green, Clerk

FILED
Aug 13, 2012
LEONARD GREEN, Clerk