

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 11-6241

UNITED STATES OF AMERICA,  
Plaintiff - Appellee,

**FILED**  
**Feb 08, 2013**  
DEBORAH S. HUNT, Clerk

v.

RODRIGO MACIAS-FARIAS,  
Defendant - Appellant.

Before: DAUGHTREY, KETHLEDGE, and DONALD, Circuit Judges.

**JUDGMENT**On Appeal from the United States District Court  
for the Western District of Kentucky at Louisville.THIS CAUSE was heard on the record from the district court and was submitted on the  
briefs without oral argument.IN CONSIDERATION WHEREOF, it is ORDERED that the defendant's conviction is  
AFFIRMED, but that the case is REMANDED to the district court for resentencing consistent  
with the opinion of this court.**ENTERED BY ORDER OF THE COURT**

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Deborah S. Hunt, Clerk