

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

Nos. 11-6303/6305

UNITED STATES OF AMERICA,  
Plaintiff - Appellee,

**FILED**  
**Jan 15, 2013**  
DEBORAH S. HUNT, Clerk

v.

ERNEST CATCHINGS,  
Defendant - Appellant.

Before: MOORE and COOK, Circuit Judges; BERTELSMAN, District Judge.

**JUDGMENT**On Appeal from the United States District Court  
for the Western District of Tennessee at Memphis.

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

IN CONSIDERATION WHEREOF, it is ORDERED that the district court's judgment of conviction and its denial of Catchings's motion to withdraw his guilty plea are AFFIRMED. IT IS FURTHER ORDERED that Catchings's sentence is VACATED, and the case is REMANDED to the district court for resentencing.

**ENTERED BY ORDER OF THE COURT**

Deborah S. Hunt, Clerk