

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 11-6414

UNITED STATES OF AMERICA,  
Plaintiff - Appellee,

v.

LYNCE P. FOSTER,  
Defendant - Appellant.

**FILED**  
**Aug 28, 2014**  
DEBORAH S. HUNT, Clerk

Before: ROGERS and KETHLEDGE, Circuit Judges; MALONEY, District Judge.

**JUDGMENT**

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

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

IN CONSIDERATION WHEREOF, it is ORDERED that Foster's sentences on Count 4 and Count 5 are VACATED, and the case is REMANDED to the district court for further proceedings consistent with the opinion of this court.

**ENTERED BY ORDER OF THE COURT**



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Deborah S. Hunt, Clerk