USA v. Victor Stitt, II Doc. 6013116439 Att. 2

## UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

No. 14-6158

UNITED STATES OF AMERICA, Plaintiff - Appellee,

v.

VICTOR J. STITT, II,

Defendant - Appellant.

## **FILED**

Jun 27, 2017 DEBORAH S. HUNT, Clerk

Before: COLE, Chief Judge; BOGGS, BATCHELDER, MOORE, CLAY, GIBBONS, ROGERS, SUTTON, COOK, McKEAGUE, GRIFFIN, KETHLEDGE, WHITE, STRANCH, and DONALD, Circuit Judges.

## **JUDGMENT**

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

UPON CONSIDERATION of the petition for rehearing en banc and the supplemental briefs of counsel,

IT IS ORDERED that the sentence imposed by the district court is REVERSED, and the case is REMANDED for resentencing consistent with the opinion of this court.

ENTERED BY ORDER OF THE COURT

Deborah S. Hunt, Clerk