

2005 WL 388301 (9th Cir.(Cal.))

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United States Court of Appeals, Ninth Circuit.
UNITED STATES OF AMERICA, Plaintiff--Appellee,
v.
Alejandro Escudero MORALES, Defendant--Appellant.
No. 04-50056.
D.C. No. CR-02-1171-GAF.
Submitted Feb. 7, 2005. [\[FN**\]](#)

[FN**](#) This panel unanimously finds this case suitable for decision without oral argument.
See [Fed. R.App. P. 34\(a\)\(2\)](#).

Decided Feb. 18, 2005.

[Daniel N. Shallman](#), Esq., Office of the U.S. Attorney Criminal Division, Los Angeles, CA, for Plaintiff-Appellee.

[Vicki Marolt Buchanan](#), Esq., Newport Beach, CA, for Defendant-Appellant.

Appeal from the United States District Court for the Central District of California, [Gary A. Feess](#), District Judge, Presiding.

Before [FERNANDEZ](#), [GRABER](#), and GOULD, Circuit Judges.

MEMORANDUM [\[FN*\]](#)

[FN*](#) This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by [Ninth Circuit Rule 36-3](#).

***1** We vacate the sentence and remand for resentencing in light of [United States v. Booker, --- U.S. ---, ---, 125 S.Ct. 738, 769, --- L.Ed.2d ---, --- \(2005\)](#), and [United States v. Ameline, No. 02-30326, 2005 WL 350811 \(9th Cir. Feb.9, 2005\)](#). Appellant's motion for release pending appeal is denied as moot.



VACATED and REMANDED.

C.A.9 (Cal.),2005.

U.S. v. Morales

2005 WL 388301 (9th Cir.(Cal.))

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- [2004 WL 2606504](#) (Appellate Brief) Government's Answering Brief (Oct. 12, 2004)[Original Image of this Document \(PDF\)](#) 
- [2004 WL 2254486](#) (Appellate Brief) Appellant's Opening Brief (Aug. 25, 2004)[Original Image of this Document with Appendix \(PDF\)](#) 

- [04-50056](#) (Docket) (Feb. 12, 2004)
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