

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 97-9232

D. C. Docket No. 93-00007-3-CR-DF

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
AUGUST 24, 2001
THOMAS K. KAHN
CLERK

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SAMUEL J. HESTER,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Georgia

(August 24, 2001)

Before BLACK, WILSON and RONEY, Circuit Judges.

BY THE COURT:

Upon the Court's own motion, the opinion previously rendered in this case on August 9, 2001, is vacated. The Court will hold the case in abeyance for further consideration until the en banc court in Nos. 00-13347 & 00-13447, *United States v. Sanchez*, issues its decision.