

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 01-12338  
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FILED  
U.S. COURT OF APPEALS  
ELEVENTH CIRCUIT  
MAY 21, 2002  
THOMAS K. KAHN  
CLERK

D. C. Docket No. 97-00008 CV-1-MMP

ALLAN ROSS,

Petitioner-Appellant,

versus

UNITED STATES OF AMERICA,

Respondent-Appellee.

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Appeal from the United States District Court  
for the Northern District of Florida  
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**(May 21, 2002)**

Before EDMONDSON, HILL and LAY\*, Circuit Judges.

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- Honorable Donald P. Lay, U.S. Circuit Judge for the Eighth Circuit, sitting by designation.

BY THE COURT:

We sua sponte amend our opinion issued on 19 April 2002 and published at \_\_\_ F.3d \_\_\_ by striking the fourth sentence in the eighth paragraph of the opinion and substituting the following sentence:

Post-Richardson, if jurors cannot agree on what specific offenses make up the continuing series, the jury may not convict the accused of the CCE offense.