

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 07-10683

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT AUGUST 6, 2009 THOMAS K. KAHN CLERK

D.C. Docket No. 06-00015-CR-ORL-18-JGG

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

TRAVIS FERRELL GRIFFIN,

Defendant-Appellant.

Appeal From the United States District Court
for the Middle District of Florida

(August 6, 2009)

ON REMAND FROM THE UNITED STATES SUPREME COURT

Before EDMONDSON, HILL and ALARCON,* Circuit Judges.

*Honorable Arthur L. Alarcon, United States Circuit Judge for the Ninth Circuit, sitting
by designation.

PER CURIAM:

This case is before the court upon remand from the United States Supreme Court for further consideration in light of *Chambers v. United States*, 555 U.S. ___, 129 S. Ct. 687 (2009). In view of this court's holding in *United States v. Harrison*, 558 F.3d 1280 (11th Cir. 2009), no additional briefing by the parties is required, and the case is ripe for decision.

In *Harrison*, this court held that a prior Florida conviction for willful fleeing was not a "violent felony" for the purposes of the Armed Career Criminal Act (the "ACCA"). Therefore, Griffin's sentencing enhancement under the ACCA based in part upon a prior Florida conviction for willful fleeing was error, and his sentence must be vacated and he must be resentenced without the enhancement.

VACATED AND REMANDED.