

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 14-15596

D.C. Docket No. 0:14-cr-60080-JEM-1

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JESSE LEWIS,

Defendant - Appellant.

Appeal from the United States District Court
for the Southern District of Florida

(April 9, 2020)

ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES

Before JILL PRYOR, MARCUS and SILER,* Circuit Judges.

PER CURIAM:

* The Honorable Eugene E. Siler, Jr., Senior United States Circuit Judge for the Sixth Circuit, sitting by designation.

This case returns to us on remand from the Supreme Court of the United States. The Supreme Court vacated this Court's judgment and remanded for further consideration in light of *United States v. Davis*, 139 S. Ct. 2319 (2019).

The parties have filed supplemental briefs following remand. They agree that Lewis's conviction on Count 3, for using, carrying, possessing, and brandishing a firearm during and in relation to a crime of violence, 18 U.S.C. § 924(c), should be vacated. The predicate "crime of violence"—sex trafficking by force, violence, or coercion, in violation of 18 U.S.C. § 1591(a)—no longer qualifies as such in light of *Davis*. This error, which *Davis* made plain, affected Lewis's substantial rights and seriously affects the fairness, integrity, or public reputation of the judicial proceedings. We therefore vacate Lewis's conviction on Count 3 and remand to the district court for further proceedings consistent with the opinion of the Supreme Court in *Davis*.

In all other respects, we affirm Lewis's convictions and sentence for the reasons stated in our prior opinion.

AFFIRMED IN PART; VACATED IN PART; REMANDED.