

PRECEDENTIAL

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 07-1048

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UNITED STATES OF AMERICA

v.

MARVIN GOLDBERG,

Appellant

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Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
(D.C. Criminal Action No. 05-cr-00157)  
District Judge: Honorable J. Curtis Joyner

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Argued June 10, 2008

Before: AMBRO, CHAGARES and GREENBERG, Circuit Judges

(Opinion filed August 8, 2008)

**ORDER AMENDING PRECEDENTIAL OPINION**

AMBRO, *Circuit Judge*

IT IS NOW ORDERED that the published Opinion in the above case filed August 8, 2008, be amended as follows:

On page 8, in the line before the block quote, insert “existed” after the n-dash, to read “– existed in order to convict”.

On page 10, fourth and fifth lines from bottom, replace, in both lines, “where” with “in which”.

On page 17, fifth line from bottom of first full paragraph, insert a space after “§”.

On page 22, line 2 of the block quote, replace double-hyphen with m-dash.

On page 24, line 7, delete “10 ” from “1098 ” to read “1097-98”.

On page 25, line 1, delete “10 ” from “1098 ” to read “1097-98”.

By the Court,

/s/ Thomas L. Ambro, Circuit Judge

Dated: November 6, 2008