

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 09-4477

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UNITED STATES OF AMERICA

v.

STEVEN C. TANZOLA,  
Appellant.

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APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
(D.C. Crim. Action No. 08-00724)  
District Judge: Honorable Berle M. Schiller

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Submitted Under Third Circuit LAR 34.1(a)  
December 16, 2010

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ORDER

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The opinion filed on March 7, 2011 shall be amended as follows: at page 4, where (2) “allow the parties to argue their positions relative to what they believe is an appropriate sentence;” shall be replaced with (2) “they must formally rule on the motions of both parties and state on the record whether they are granting a departure and how that departure affects the Guidelines calculation, and take into account the court’s pre-Booker case law, which continues to have advisory force.” This does not affect the Judgment issued by the Court on March 7, 2011. An amended opinion will be filed; however the original filing date will not be altered.

BY THE COURT:

/s/ Joseph A. Greenaway, Jr.  
Circuit Judge

Dated: June 9, 2011