

PRECEDENTIAL

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 02-3067

UNITED STATES OF AMERICA,

Appellee

v.

ISAAC RIVERA,

Appellant

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

District Court Judge: Honorable Jerome B. Simandle
(D.C. Crim. No. 01-cr-00373-5)

Argued: December 4, 2003

Before: SLOVITER and ALITO, Circuit Judges, and
OBERDORFER,* District Judge.

ORDER AMENDING OPINION

* The Honorable Louis F. Oberdorfer, Senior District Judge for the District of Columbia, sitting by designation.

IT IS ORDERED that the slip opinion in the above case, filed February 9, 2004, be amended as follows:

Footnote 4 should be revised to read as follows:

The availability of *de novo* review on appeal regardless of whether Rivera formally objected to the government's advocacy makes it unnecessary for us to pursue the question of whether this indirect notice entitles Rivera to *de novo* review on independent grounds.

Footnote 6 should be deleted in its entirety and prior footnotes 7, 8 and 9 should be renumbered accordingly.

By the Court,

/s/ Louis F. Oberdorfer
District Judge

Dated: February 20, 2004