

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 02-3571

UNITED STATES OF AMERICA

v.

GAYLORD SPARROW,

Appellant

Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. Criminal Action No. 99-cr-00290)
District Judge: Honorable Harvey Bartle, III

Submitted Under Third Circuit LAR 34.1(a)
March 23, 2004

Before: ROTH, AMBRO, and CHERTOFF, Circuit Judges

(Opinion filed June 15, 2004)

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ORDER AMENDING PUBLISHED OPINION

AMBRO, *Circuit Judge*

It is now ordered that the published Opinion in the above case filed June 15, 2004, be amended as follows:

On the first page, first line of the opinion, delete the words “seeks a writ of *habeas corpus* in” and replace it with the words “appeals the denial of his petition under 28 U.S.C. § 2255 with” so that the sentence reads: “Gaylord Sparrow appeals the denial of his petition under 28 U.S.C. § 2255 with regard to his conviction and sentence”

On the first page, last line of the introductory paragraph, delete the word “*habeas*.”

On the second page, first column, last two lines through the first line of the second column, delete the phrase “for a writ of *habeas corpus*” and delete the “,” between “§ 2255” and “alleging” so that the sentence reads: “Sparrow then filed a petition pursuant to 28 U.S.C. § 2255 alleging ineffective assistance of counsel.”

On the fourth page, second column, delete the last full sentence and replace it with “Thus we affirm the District Court’s decision denying Sparrow’s § 2255 petition.”

By the Court,

/s/ Thomas L. Ambro, Circuit Judge

Dated: June 25, 2004