

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 07-2798

UNITED STATES OF AMERICA

v.

PRESTON JONES

a/k/a

Death

Preston Jones,
Appellant

Appeal from the United States District Court
for the District of New Jersey
(D.C. Criminal Action No. 2-03-cr-00844-023)
District Judge: Honorable Katharine S. Hayden

Before: SCIRICA, Chief Judge, AMBRO, and SMITH, Circuit Judges

ORDER

The non-precedential opinion filed March 23, 2009 is hereby VACATED. The motion by Appellee to publish the panel opinion is granted and will be filed forthwith. It is noted that Appellant filed a petition for panel rehearing and rehearing en banc on May 18, 2009. As the March 23, 2009 opinion is vacated, the request for rehearing is dismissed as moot. Should the parties wish to seek review of the precedential opinion of the Court, the procedures to do are set forth in Fed. R. App. P. 35 and 40.



Dated: 20 May 2009

By the Court

/s/ Thomas L. Ambro
Circuit Judge

Marcia M. Waldron

Marcia M. Waldron, Clerk