

PRECEDENTIAL

IN THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NO. 07-3447

UNITED STATES OF AMERICA

v.

CHARLES BORNMAN,
Appellant

On Appeal From the District Court
For the District of the Virgin Islands
(D.C. Crim. Action No. 03-cr-00127-1)
District Judge: Hon. Raymond L. Finch

Argued December 10, 2008

BEFORE: FISHER, JORDAN and
STAPLETON, *Circuit Judges*

(Opinion Filed March 6, 2009)

ORDER AMENDING OPINION

STAPLETON, *Circuit Judge*:

IT IS ORDERED that the opinion in this matter filed on March 6, 2009, is hereby amended as follows:

On page 12, the first paragraph of **V. Additional Count Two Arguments** is deleted and is replaced by the following:

Bornman makes a number of additional arguments relating to Count Two, which we find without merit. His argument that the government failed to introduce evidence of a *quid pro quo* is without merit, because the statute requires no such evidence. *See United States v. Gee*, 432 F.3d 713, 714-15 (7th Cir. 2005) (“A *quid pro quo* of money for a specific legislative act is *sufficient* to violate the statute, but it is not *necessary*. It is enough if someone ‘corruptly . . . accepts or agrees to accept, anything of value from any person, intending to be influenced or rewarded in connection with any business, transaction, or series of transactions . . . involving any thing of value of \$5,000 or more.’ 18 U.S.C. § 666(a)(1)(B)”).

By the Court

/s/ Walter K. Stapleton
Circuit Judge

DATED: April 24, 2009