

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with
Fed. R. App. P. 32.1

United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

Submitted December 29, 2009*

Decided December 30, 2009

Before

FRANK H. EASTERBROOK, *Chief Judge*

DIANE S. SYKES, *Circuit Judge*

JOHN DANIEL TINDER, *Circuit Judge*

No. 09-1957

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

SCOTT NJOS,
Defendant-Appellant.

Appeal from the United
States District Court for the
Northern District of Illinois,
Western Division.

No. 07 CR 50036
Frederick J. Kapala, *Judge.*

Order

The judgment of the district court is vacated, and the case is remanded with instructions to reconsider in light of the position taken in the United States' brief.

* This successive appeal has been submitted to the original panel under Operating Procedure 6(b). After examining the briefs and the record, we have concluded that oral argument is unnecessary. See Fed. R. App. P. 34(a); Cir. R. 34(f).