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United States v. Serafini

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Filed December 1, 2000

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NOS. 99-3994, 00-3005

UNITED STATES OF AMERICA

v.

FRANK SERAFINI,
(Appellant in 99-3994)

UNITED STATES OF AMERICA
(Appellant in 00-3005)

v.

FRANK SERAFINI

On Appeal from the United States District Court
for the Middle District of Pennsylvania
(D.C. Criminal No. 97-cr-00225-6)
District Judge: Honorable Thomas I. Vanaskie

Argued July 20, 2000

Before: RENDELL and ROSENN, Circuit Judges,
and O'NEILL, Senior District Judge*

(Opinion Filed November 28, 2000)

* The Honorable Thomas N. O'Neill, Jr., Senior United States District
Judge for the Eastern District of Pennsylvania, sitting by designation.

ORDER AMENDING DISSENTING OPINION

The slip opinion in the dissent in the above case is hereby amended as follows:

1. On page 32, at the end of the first line in the third paragraph, after the word "limitation" insert a semicolon.
2. On page 34, in the second full paragraph, lines 5-6, remove the United States v. Jones citation and the word "and" which follows it.
3. On page 35, the entire first full paragraph beginning "United States v. Jones" and ending with the words "decision to depart" shall be removed.
4. On page 37, in the second full paragraph, at the end of line 13 before the words "at 1:30" replace "him" with "Serafini."
5. On page 39, in the first full paragraph, remove the quotation marks in line 9 before "neither", in line 11 after "preeminence," and in line 12 after "nature." In line 13, insert "See " before "id."

BY THE COURT:

/s/ Max Rosenn
Circuit Judge

DATED: December 1, 2000

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Clerk of the United States Court of Appeals
for the Third Circuit