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USA v. Ayala King

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NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 13-4188

UNITED STATES OF AMERICA

v.

AYALA A. KING
Appellant.

On Appeal from the
District Court of the Virgin Islands
(D.C. Criminal No. 3-13-cr-00010-002)
District Judge: Honorable Curtis V. Gomez

Argued: May 18, 2015

Before: McKEE, *Chief Judge*, SMITH and SCIRICA, *Circuit Judges*

ORDER AMENDING OPINION

IT IS HEREBY ORDERED that the Not Precedential Opinion filed in this case on February 19, 2016, be amended as follows:

In Part I, the standard of review for sufficiency of the evidence contains an error. Our review of sufficiency of the evidence is “highly deferential.” *United States v. McGee*, 763 F.3d 304, 316 (3d Cir. 2014) (quoting *United States v. Caraballo-Rodriguez*, 726 F.3d 418, 430 (3d Cir. 2013) (en banc)).

In footnote 14, “*See*” should be corrected to “*See generally*.”

In footnote 16, the parenthetical following *United States v. Irizarry*, 341 F.3d 273, 305 (3d Cir. 2003), should read “finding it ‘difficult to determine if the court abused its discretion’ in part, because the appellant failed to provide authority in support of his argument.”

In Part I, “Because ‘the imposition of time limits increases the efficiency of the trial,’ a district court may set time limits on closing arguments,” should be corrected to “Because ‘the imposition of time limits [can] increase[] the efficiency of the trial,’ a district court may set time limits on closing arguments.”

These errors are hereby corrected.

BY THE COURT:

/s/ Theodore A. McKee
CHIEF CIRCUIT JUDGE

Dated: March 21, 2016

CJG/cc: Clive Rivers, Esq.
Judith L. Bourne, Esq.
Nelson L. Jones, Esq.