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USA v. Tamika Riley

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PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Nos. 08-3361, 08-3413, 08-3758, and 08-3759

UNITED STATES OF AMERICA,
Appellee and Cross-Appellant

v.

TAMIKA RILEY AND SHARPE JAMES
Appellants and Cross-Appellees

On Appeal from the United States District Court
for the District of New Jersey
(D.C. No. 2-07-cr-00578)
District Judge: Honorable William J. Martini

Argued April 13, 2010

Before: SLOVITER and NYGAARD, Circuit Judges, and RESTANI,* Judge

**ORDER AMENDING OCTOBER 21, 2010
ORDER AMENDING OPINION**

IT IS HEREBY ORDERED that the order amending opinion in the above case, filed October 21, 2010, be amended as follows:

*Honorable Jane A. Restani, Chief Judge of the United States Court of International Trade, sitting by designation.

Page 15, first sentence of the first full paragraph which read:

While it is true that the jury convicted James of a substantive violation referred to in one of the alternative descriptions of duty, 18 U.S.C. § 666 (Count 4), dependents have met their burden of showing a reasonable probability that the jury utilized the broad definition of an honest services violation given in connection with the entire conspiracy charge.

shall read:

While it is true that the jury convicted James of a substantive violation referred to in one of the alternative descriptions of duty, 18 U.S.C. § 666 (Count 4), defendants have met their burden of showing a reasonable probability that the jury utilized the broad definition of an honest services violation given in connection with the entire conspiracy charge.

BY THE COURT,

/s/ Jane A. Restani
Judge

DATED: October 27, 2010