

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

APR 19 2012

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BRIAN K. YOUNG,

Defendant - Appellant.

No. 08-30442

D.C. No. 2:08-cr-00016-WFN
Eastern District of Washington,
Spokane

ORDER

Before: LEAVY, PAEZ, and BEA, Circuit Judges.

In light of the Supreme Court's decision in *Reynolds v. United States*, 132 S. Ct. 975 (2012), and its denial of the petition for writ of certiorari from this court's decision in *United States v. Valverde*, 628 F.3d 1159 (9th Cir. 2010), Brian K. Young's motion to dismiss the indictment, filed January 4, 2011, is granted. This matter is remanded to the district court with directions to dismiss the indictment against Young.

REVERSED and REMANDED.

