

AUG 14 2014

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JORGE ALEJANDRO WERNICK-
CHOZET,

Defendant - Appellant.

No. 13-50109

D.C. No. 3:11-cr-05735-H-1

ORDER*

Appeal from the United States District Court
for the Southern District of California
Marilyn L. Huff, District Judge, Presiding

Argued and Submitted May 13, 2014
Pasadena, California

Before: PREGERSON, REINHARDT, and NGUYEN, Circuit Judges.

The joint motion for summary reversal is GRANTED. The mediation conference scheduled for August 27, 2014, is VACATED. Wernick-Chozet's conviction is **REVERSED**, his sentence is **VACATED**, and this case is **REMANDED** to the district court.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

We commend the parties for their prompt and professional response to the court's mediation order. Each side shall bear its own costs on appeal. A copy of this order shall constitute the mandate of this court.