

FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

AUG 09 2004

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

BRYAN JAMES EPIS,

Defendant-Appellant.

No. 02-10523

D.C. No. CR-97-00381-FCD

**ORDER AND AMENDED
ORDER OF REMAND**

Before: LAY,* HAWKINS, and BYBEE, Circuit Judges.

The “Order and Amended Order of Remand” filed on August 6, 2004 is vacated.

This court’s Order of Remand filed July 12, 2004, and amended July 22, 2004, is further amended to read as follows: on page 9662, insert the following paragraph after the second full paragraph, “Epis’ Motion for Bail is GRANTED pending the outcome of proceedings in the district court.”

* The Honorable Donald P. Lay, Senior United States Circuit Judge for the Eighth Circuit, sitting by designation.