

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

April 13, 2018

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ADRIAN MIKE,

Defendant - Appellant.

No. 17-2215
(D.C. No. 2:12-CR-01922-WJ-1)
(D. N.M.)

ORDER AND JUDGMENT*

Before **BRISCOE, MATHESON, and EID**, Circuit Judges.

Adrian Mike appeals his 24-month term of supervised release imposed following his second supervised release revocation. The parties agree that the 24-month term conflicts with 18 U.S.C. § 3583(h), and request remand for resentencing. We agree, vacate the 24-month term of supervised release, and remand to the district court for resentencing.

Entered for the Court
Per Curiam

* After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist in the determination of this appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument. This order and judgment is not binding precedent, except under the doctrines of law of the case, *res judicata*, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.