

RECOMMENDED FOR FULL-TEXT PUBLICATION
Pursuant to Sixth Circuit Rule 206

ELECTRONIC CITATION: 2002 FED App. 0056A (6th Cir.)
File Name: 02a0056a.06

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

EDWARD JAMES,
Defendant-Appellant.

No. 99-1762

Appeal from the United States District Court
for the Eastern District of Michigan at Detroit.
No. 98-80041—Julian A. Cook, Jr., Senior District Judge.

Argued: March 8, 2001

Decided and Filed: February 13, 2002

Before: SILER, MOORE, and CLAY, Circuit Judges.

COUNSEL

ARGUED: Kevin M. Schad, SCHAD & COOK, Indian Springs, Ohio, for Appellant. Jonathan Tukel, ASSISTANT UNITED STATES ATTORNEY, Detroit, Michigan, for Appellee.

AMENDED OPINION

SILER, Circuit Judge. Upon motion by the defendant, Edward James, for a rehearing, and good cause having been shown, and upon the concession by the government that at the time of the entry of the plea of guilty by James that the government could not have adduced any additional proof on the interstate commerce element under the Hobbs Act, 18 U.S.C. § 1951, as to James than it did at trial against the codefendants, Selena Turner and Kevin Larkins, our opinion of November 28, 2001, is amended to reflect that the conviction and sentence of James are **REVERSED**.