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**United States, Petitioner v. Robert Wilson Stewart, Jr.**

**No. 04-617.**

**SUPREME COURT OF THE UNITED STATES**

*125 S. Ct. 2899; 162 L. Ed. 2d 291; 2005 U.S. LEXIS 4661; 73 U.S.L.W. 3717*

**June 13, 2005, Decided**

**PRIOR HISTORY:** *United States v. Stewart*, 348 F.3d 1132, 2003 U.S. App. LEXIS 23128 (9th Cir. Ariz., 2003)

**JUDGES:** [\*1] Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer.

**OPINION:** On petition for writ of certiorari to the United

States Court of Appeals for the Ninth Circuit granted. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated, and case remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *Gonzales v. Raich*, 545 U.S. \_\_\_\_, 162 L. Ed. 2d 1, 125 S. Ct. 2195, 2005 U.S. LEXIS 4656 (2005).