

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
)
v.) CRIMINAL ACTION NO.
) 2:03cr259-MHT
LEON CARMICHAEL, SR. and) (WO)
FREDDIE WILLIAMS)

ORDER

It is ORDERED that the opinion and order entered December 18, 2006 (doc. no. 806), United States v. Carmichael, ___ F.Supp.2d ___, 2006 WL 3754794, 2006 U.S. Dist. LEXIS 91705 (M.D. Ala. 2006), is amended to delete footnote 36. The court inadvertently failed to remove the footnote's sentence and citation after it discovered that the parties and the magistrate judge had relied upon "a fundamental and impermissible assumption" in addressing whether an absolute disparity of over 10 %

was present in this case. *Id.* at _____, 2006 WL 3754794,
at *21-22.

DONE, this the 30th day of January, 2007.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE