

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 00-3032

September Term, 2000

UNITED STATES OF AMERICA,

Criminal Action No. 89-0381

Filed On: December 4, 2000<sup>[560353]</sup>

Appellee

v.

JERMAINE BONEY,

Appellant

On Appeal from the United States District Court  
for the District of Columbia

Before: HENDERSON, ROGERS and TATEL, *Circuit Judges*.

## **J U D G M E N T**

This case was heard on the record from the United States District Court for the District of Columbia and on the briefs and arguments by counsel. The court has accorded the arguments full consideration and has determined the issues presented occasion no need for a published opinion. *See* D.C. Cir. Rule 36(b). The court concludes, specifically, that on remand the district court scrupulously followed this court's decision in *Boney II*. *See United States v. Boney*, 68 F.3d 497 (D.C. Cir. 1995). Accordingly, it is

ORDERED that the judgment from which this appeal has been taken be affirmed substantially for the reasons stated in the district court's memorandum opinion of February 18, 2000. *See United States v. Boney*, 97 F. Supp. 2d 1 (D.D.C. 2000).

The Clerk is directed to withhold issuance of the mandate herein until seven days after disposition of any timely petition for rehearing. *See* D.C. Cir. Rule 41(a)(1).

**FOR THE COURT:**

Mark J. Langer, Clerk