

FILED

United States Court of Appeals  
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

January 29, 2026

Christopher M. Wolpert  
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BRUCE MITCHELL CASS,

Defendant - Appellant.

No. 25-5088  
(D.C. No. 4:24-CR-00257-JDR-1)  
(N.D. Okla.)

**ORDER AND JUDGMENT\***

Before **MATHESON, BACHARACH, and PHILLIPS**, Circuit Judges.\*\*

This matter is before the court on the government's *Unopposed Motion to Remand for Resentencing*, in which it requests that the court vacate the appealed judgment and remand this appeal to the district court for resentencing.

Upon consideration and review of the record, the court:

A. Grants the motion as modified below;

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\* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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.

\*\* Because this appeal is being decided on an unopposed motion to remand, this panel has determined unanimously that oral argument would not materially assist in the determination of the appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument.

- B. Remands this case to the district court for resentencing and to undertake, in its discretion, all necessary and appropriate proceedings required to resentence defendant-appellant Bruce Mitchell Cass in accord with the *Unopposed Motion to Remand for Resentencing* and the applicable law; and
- C. Directs the Clerk to issue the mandate forthwith.

Entered for the Court

Per Curiam