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5-15-2012

## USA v. Yakov Babchinetskiy

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 11-1574

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UNITED STATES OF AMERICA

v.

YAKOV BABCHINETSKIY,  
a/k/a YAN  
a/k/a JACOB

Yakov Babchinetskiy,

Appellant.

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On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
(D.C. No. 07-00017)  
District Judge: Honorable Legrome D. Davis

Argued on April 20, 2012

Before: McKEE, *Chief Judge*, SLOVITER, *Circuit Judge*  
and O'CONNOR, *Associate Justice* (Ret.)\*

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JUDGMENT ORDER

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\* Hon. Sandra Day O'Connor, Associate Justice (Ret.) of the Supreme Court of the United States, sitting by designation.

This cause came on to be heard on the record from the United States District Court for the Eastern of Pennsylvania and was argued on April 20, 2012.

On consideration whereof, inasmuch as we conclude that there was no plain error, it is now hereby ADJUDGED and ORDERED that the amended judgments of the District Court entered on January 20, 2011 and February 1, 2011 be and the same are hereby affirmed.

BY THE COURT:

/s/ Theodore A. McKee  
Chief Judge

Attest:

/s/ Marcia M. Waldron  
Clerk

Dated: May 15, 2012