

201 Or.App. 527  
Court of Appeals of Oregon.

STATE of Oregon, Respondent,  
v.  
John GARZA, Jr., Appellant.

03C-47873; A123378. | Argued and Submitted July 25, 2005. | Decided Sept. 8, 2005.

Appeal from Circuit Court, Marion County.  
Terry Ann Leggert, Judge.

**Attorneys and Law Firms**

Jason E. Thompson, Salem, argued the cause for appellant. With him on the brief was Ferder Casebeer & French LLP.

Ryan Kahn, Assistant Attorney General, argued the cause for respondent. With him on the brief were Hardy Myers, Attorney General, and Mary H. Williams, Solicitor General.

Before SCHUMAN, Presiding Judge, and BREWER, Chief Judge, and LANDAU, Judge. \*

\* Landau, J., *vice* Richardson, S. J.

**Opinion**

\*301 PER CURIAM.

Sentences vacated; remanded for resentencing; otherwise affirmed. *State v. Gornick*, 196 Or.App. 397, 102 P.3d 734 (2004), *rev. allowed*, 338 Or. 583, 114 P.3d 504 (2005); *State v. Perez*, 196 Or.App. 364, 102 P.3d 705 (2004), *rev. allowed*, 338 Or. 488, 113 P.3d 434 (2005).

**Parallel Citations**

119 P.3d 300 (Mem)

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