

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

\_\_\_\_\_  
No. 07-50967  
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United States Court of Appeals  
Fifth Circuit

**FILED**  
August 24, 2010

Lyle W. Cayce  
Clerk

TIMOTHY MARK CAMERON ABBOTT,

Plaintiff-Appellant,

v.

JACQUELYN VAYE ABBOTT,

Defendant-Appellee.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 1:06-CV-359  
\_\_\_\_\_

ON REMAND FROM THE SUPREME COURT  
OF THE UNITED STATES

Before KING, WIENER, and ELROD, Circuit Judges.

PER CURIAM:\*

The Supreme Court reversed the decision of this court in *Abbott v. Abbott*, No. 08-645, —U.S.—, 130 S. Ct. 1983 (2010), and remanded for further proceedings consistent with its opinion. We, in turn, REMAND the case to the district court for further proceedings consistent with the opinion of the Court,

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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including the consideration of the issues in Part IV of that opinion. We GRANT the motion to recall the mandate issued on October 8, 2008.