

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-40034

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GEORGE ERVIN FOX, JR.,

Defendant-Appellant.

Appeal from the United States District Court
For the Eastern District of Texas

May 31, 2002

ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES

Before WIENER and STEWART, Circuit Judges, and SMITH,* District
Judge.

BY THE COURT:

The Supreme Court of the United States, by order in No. 01-805, George Ervin Fox v. United States, granted appellant's petition for a writ of *certiorari*, vacated the judgment (conviction and sentence) in the case, and remanded it to us for further consideration in light of Ashcroft v. Free Speech Coalition, 535 U.S. ____ (2002).

IT IS ORDERED that the captioned case be and it is hereby

* District Judge of the Western District of Texas, sitting by designation.

remanded to the United States District Court for the Eastern District of Texas for further proceedings and disposition consistent with the aforesaid order of the Supreme Court.