

UNITED STATES COURT OF APPEALS

FIFTH CIRCUIT

No. 01-60370

JAMES D GREEN; J DOUG GREEN, JR; ANGIE W WALKER;
DONNA LYNN WALKER; BILLY J WALKER,

Plaintiffs - Appellants,

versus

DANIEL GLICKMAN, in his individual capacity as Former Secretary
Department of Agriculture; ANN VENEMAN, in her official capacity
as Secretary Department of Agriculture,

Defendants - Appellees.

Appeal from the United States District Court
for the Southern District of Mississippi
3:00-CV-366-LN

July 29, 2002

Before KING, Chief Judge, HIGGINBOTHAM and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

We AFFIRM the district court's order for the reasons stated in the order.¹ However, we VACATE the dismissal with prejudice and instruct the district court on remand to dismiss the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

¹Appellants have filed a motion to supplement the record with portions of certain documents submitted to the district court. We grant the motion.

complaint without prejudice.

AFFIRMED IN PART, VACATED IN PART, AND REMANDED.