

February 3, 2006

UNITED STATES COURT OF APPEALS  
FIFTH CIRCUIT

Charles R. Fulbruge III  
Clerk

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No. 05-10572  
Summary Calendar

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ARBOR BEND VILLAS HOUSING LP; PARKS RIVERPLACE HOUSING LP,

Plaintiffs-Appellants,

versus

TARRANT COUNTY HOUSING FINANCE CORPORATION; TARRANT COUNTY TEXAS,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Texas  
(4:02-CV-478)

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Before BARKSDALE, STEWART, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Appellee Tarrant County Texas, joined by Appellee Tarrant County Housing Finance Corporation, moves to dismiss this appeal as moot. Appellant Arbor Bend Villas Housing LP concedes its injunctive-relief claim is moot. As a result, claims and issues have arisen that are best first resolved by the district court.

Therefore, the motion to dismiss is **DENIED**, and this matter is **REMANDED** to the district court for such other proceedings as may be appropriate. This court, of course, expresses no opinion on any

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

claim that may be presented or considered on remand. Upon the district court's deciding any issues on remand, any party desiring to appeal may do so by properly filing a notice of appeal.

***MOTION TO DISMISS DENIED; INJUNCTIVE RELIEF DENIED AS MOOT;***

***REMANDED***