

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-20110

EARL VAN JONES,

Plaintiff-Appellant,

versus

GUY WILLIAMS, Individually, and as
Sheriff of Montgomery County, Texas;
MONTGOMERY COUNTY, TEXAS,

Defendants-Appellees.

No. 01-20355

MICHAEL ROGER SMITH,

Plaintiff-Appellant,

versus

GUY WILLIAMS, Individually, and as
Sheriff of Montgomery County, Texas;
MONTGOMERY COUNTY, TEXAS,

Defendants-Appellees.

Appeals from the United States District Court
for the Southern District of Texas
H-99-CV-972 & H-99-CV-2590

August 29, 2002

Before GARWOOD, JOLLY, and DAVIS, Circuit Judges.

PER CURIAM:*

After review of the record, we find that we must remand these cases for further proceedings, including a trial if necessary. Our opinion today, however, should not prejudice the right of the district court, after hearing the evidence, to grant a directed

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

verdict, or a judgment as a matter of law, nor should it prejudice the right of this court on any subsequent review of the evidence to find it insufficient to support a finding in favor of the plaintiff.

REVERSED AND REMANDED.