

**FILED**

March 17, 2004

Charles R. Fulbruge III  
Clerk

UNITED STATES COURT OF APPEALS  
For the Fifth Circuit

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No. 03-20450

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ROBERT HORTON; NATIONALIST TELEVISION, a Texas Non-Profit  
Corporation; BARRY HACKNEY,

Plaintiffs-Appellants

VERSUS

CITY OF HOUSTON, TEXAS; ACCESS HOUSTON CABLE CORPORATION,

Defendants-Appellees.

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Appeal from the United States District Court  
For the Southern District of Texas  
H-92-CV-3451

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Before REAVLEY, DAVIS and DeMOSS, Circuit Judges.

PER CURIAM:\*

After reviewing the record created on remand and considering the briefs of the parties and argument of counsel, we are satisfied that the district court properly carried out our remand instructions. We also conclude that the district court did not err in concluding that the fee in question was narrowly tailored to

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5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

achieve the legitimate objective of promoting localism. We therefore affirm the judgment of the district court.

AFFIRMED.