

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

June 28, 2012

Lyle W. Cayce
Clerk

No.10-10550
USDC No. 4:09-CV-662

MICHAEL WAYNE BOHANNAN,

Petitioner-Appellant

v.

RICK THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE,
CORRECTIONAL INSTITUTIONS DIVISION,

Respondent-Appellee

Appeal from the United States District Court
for the Northern District of Texas

ON REMAND FROM THE SUPREME COURT
OF THE UNITED STATES

Before WIENER, PRADO, and OWEN, Circuit Judges.

PER CURIAM:*

We vacate the April 23, 2010, judgment of the district court and remand for reconsideration in light of the Supreme Court's decision in *Wall v. Kholi*, 131 S. Ct. 1278 (2011).

VACATED and REMANDED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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