

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

United States Court of Appeals
Fifth Circuit

FILED

May 18, 2011

Lyle W. Cayce
Clerk

No. 10-70002

HENRY W. SKINNER,

Plaintiff-Appellant,

versus

LYNN SWITZER,
District Attorney for the 31st Judicial District of Texas,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 2:09-CV-281

ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES

Before SMITH, DENNIS, and OWEN, Circuit Judges.

PER CURIAM:*

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 10-70002

The Supreme Court reversed and remanded this court's affirmance of the district court's dismissal. *Skinner v. Switzer*, 131 S. Ct. 1289 (2011). We VACATE and REMAND the judgment of the district court for further proceedings in accordance with the Supreme Court's directive. We express no view on what decisions the district court should make on remand.