

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-50569

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W. BLAKE SMITH, JR. and  
PATTI FAIN SMITH,

Plaintiffs-Appellees,

versus

JEAN S. SMITH, ET AL.,

Defendants,

JEAN S. SMITH,

Defendant-Appellant.

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Appeal from the United States District Court for  
the Western District of Texas  
(W-94-CV-366)

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December 3, 1996

Before REAVLEY, GARWOOD and BENAVIDES, Circuit Judges.

PER CURIAM:\*

We find this appeal to be ruled by *F.D.I.C. v. LeGrand*, 43 F.3d 163 (5th Cir. 1995). Although the criminal contempt order fails for lack of notice, the civil contempt was clearly warranted. Accordingly, we affirm the civil portion of the

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

contempt order and remand to the district court for enforcement.  
The criminal portion of the order is vacated.

AFFIRMED IN PART; VACATED IN PART. REMANDED.