

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 97-10694
Summary Calendar

In the matter of: KENNETH RAY SHELTON, doing
business as Crystals Plus,

Debtor.

ELAINE WILSON,

Appellee,

VERSUS

KENNETH RAY SHELTON,

Appellant.

Appeal from the United States District Court
for the Northern District of Texas
(4:94-CV-552-Y)

April 30, 1999

Before EMILIO M. GARZA, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

A final decision in this appeal has been delayed pending the issuance of the en banc decision of this Court in No. 95-11112, *In the Matter of Thomas Cullen Davis and Karen Joyce Davis, Debtors, Sandra Davis v. Thomas Cullen Davis*. The en banc decision in *Davis v. Davis* was filed March 17, 1999, and the mandate issued on April 8, 1999.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

In light of the decision in *Davis v. Davis*, ___ F.3d ___, 1999 WL 144113 (5th Cir. Mar. 17, 1999), we VACATE the Opinion and Order entered herein by the district court under date of May 28, 1997; and we REINSTATE and AFFIRM the Findings of Fact and Conclusions of Law entered by the bankruptcy court under date of July 11, 1994.