

**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. 10-30035

JOHN THOMPSON,

Plaintiff-Appellee,

versus

HARRY F. CONNICK, in His Official Capacity as District Attorney
and in His Individual Capacity;
ERIC DUBELIER, in His Official Capacity as Assistant District Attorney;
JAMES WILLIAMS, in His Official Capacity as Assistant District Attorney;
EDDIE JORDAN, in His Official Capacity as District Attorney;
ORLEANS PARISH DISTRICT ATTORNEY'S OFFICE,

Defendants-Appellants.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:03-CV-2045

Before JOLLY, HIGGINBOTHAM, and SMITH, Circuit Judges.

PER CURIAM:*

The defendants challenge an award of supplemental attorney's fees and

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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costs. In *Connick v. Thompson*, 131 S. Ct. 1350 (2011), the Court reversed this court's affirmance, *see Thompson v. Connick*, 578 F.3d 293 (5th Cir. 2009) (en banc) (per curiam) (affirming by equally divided court), of the district court's award of damages and fees. The parties have submitted letter briefs, on request, and agree that the award of supplemental fees should be reversed. This court has now remanded the underlying action for entry of judgment. *See Thompson v. Connick*, 2011 U.S. App. LEXIS 9758 (5th Cir. May 13, 2011) (en banc) (per curiam).

The award of supplemental fees and costs is therefore REVERSED, and this matter is REMANDED for further proceedings, if any, that may be required.