

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

No. 13-30981

United States Court of Appeals
Fifth Circuit

FILED

April 13, 2016

Lyle W. Cayce
Clerk

LOUIE M. SCHEXNAYDER, JR.,

Petitioner - Appellant

v.

DARREL VANNOY, WARDEN, LOUISIANA STATE PENITENTIARY,

Respondent - Appellee

Appeals from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:99-CV-93

Before REAVLEY, JOLLY, and ELROD, Circuit Judges.

PER CURIAM:*

The judgment of the district court is vacated and Petitioner's Rule 60(b) motion is remanded to that court. Because the federal court has not considered constitutional claims related to the decisions of the Louisiana courts after the Louisiana Supreme Court's judgment in *State v. Cordero*, 993 So. 2d 203 (La. 2008), the present motion is not successive, but is a true Rule 60(b) motion entitled to be decided.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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