

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 07-12976

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT JAN 14, 2010 JOHN LEY ACTING CLERK
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D. C. Docket No. 03-01465-CV-ORL-KRS

GEORGE PORTER, JR.,

Respondent-Appellee,

versus

ATTORNEY GENERAL, STATE OF FLORIDA,
SECRETARY, DEPT. OF CORRECTIONS,

Petitioners-Appellants.

Appeal from the United States District Court
for the Middle District of Florida

(January 14, 2010)

**ON REMAND FROM THE SUPREME COURT
OF THE UNITED STATES**

Before CARNES, WILSON AND PRYOR, Circuit Judges.

PER CURIAM:

Porter's application for a writ of habeas corpus was granted by the District Court. We reversed. *Porter v. Att'y Gen.*, 552 F.3d 1260, 1262 (11th Cir. 2008) (per curiam). The Supreme Court granted certiorari, reversed our decision, and remanded for further proceedings consistent with its opinion. *Porter v. McCollum*, 558 U.S. ___, 130 S. Ct. 447, 456 (2009) (per curiam).

Accordingly, the judgment of the District Court is affirmed, and the case is remanded to the District Court for proceedings consistent with the opinion of the Supreme Court.

AFFIRMED.