

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

United States Court of Appeals
Fifth Circuit

FILED

June 10, 2011

No. 10-70017

Lyle W. Cayce
Clerk

FARYION EDWARD WARDRIP,

Petitioner - Appellee

v.

RICK THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION,

Respondent - Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 7:01-CV-247

Before HIGGINBOTHAM, CLEMENT, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

We VACATE the April 9, 2010 judgment of the district court and
REMAND for reconsideration in light of the Supreme Court's decision in *Cullen*
v. Pinholster, 131 S. Ct. 1388 (2011).

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 R. 47.5, the court has determined that this opinion should not
be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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