

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Nos. 02-5032; 08-5644

BYRON LEWIS BLACK,
Petitioner - Appellant,

FILED

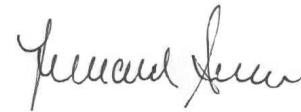
Dec 15, 2011

LEONARD GREEN, Clerk

v.

RICKY BELL, Warden,
Respondent - Appellee.

Before: MARTIN, BOGGS, and GILMAN, Circuit Judges.

JUDGMENTOn Appeal from the United States District Court
for the Middle District of Tennessee at Nashville.THIS CAUSE was heard on the record from the district court and was argued by
counsel.IN CONSIDERATION WHEREOF, it is ORDERED that the district court's denial
of petitioner Byron Lewis Black's habeas petition regarding his non-*Atkins* claims is
AFFIRMED, the district court's judgment regarding the denial of Black's petition
concerning his *Atkins* claim is VACATED, and the case is REMANDED for further
proceedings consistent with the opinion of this court.**ENTERED BY ORDER OF THE COURT**

Leonard Green, Clerk