

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 11-5867

HECK VAN TRAN,  
Petitioner - Appellant,

**FILED**  
**Aug 25, 2014**  
DEBORAH S. HUNT, Clerk

v.

ROLAND COLSON, Warden,  
Respondent - Appellee.

Before: ROGERS, COOK, and WHITE, Circuit Judges.

**JUDGMENT**

On Appeal from the United States District Court  
for the Western District of Tennessee at Memphis.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the judgment with regard to the application of *Atkins* is VACATED, and the case is REMANDED to the district court with instructions to issue a conditional writ of habeas corpus prohibiting execution unless the State completes a new *Atkins* hearing consistent with the opinion of this court.

**ENTERED BY ORDER OF THE COURT**



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Deborah S. Hunt, Clerk