

of the opinion of Judge Tom Stagg, W.D. La.1978.

AFFIRMED.



1

Calvin SELLARS, Petitioner-Appellee,

v.

W. J. ESTELLE, Jr., Director, Texas
Department of Corrections,
Respondent-Appellant.

No. 78-1118.

United States Court of Appeals,
Fifth Circuit.

March 23, 1979.

Rehearing and Rehearing En Banc
Denied April 20, 1979.

Appeal from the United States District
Court for the Southern District of Texas;
Finis E. Cowan, Judge.

John L. Hill, Atty. Gen., Joe B. Dibrell,
David M. Kendall, Jr., Douglas M. Becker,
Asst. Attys. Gen., Austin, Tex., William
Burge, Asst. Dist. Atty., Harris County,
Calvin A. Hartmann, Houston, Tex., for
respondent-appellant.

Larry Watts, Houston, Tex. (Court-ap-
pointed), Charles Alan Wright, Austin,
Tex., for petitioner-appellee.

Before COLEMAN, GOLDBERG and
GODBOLD, Circuit Judges.

PER CURIAM:

This case was orally argued in Dallas on
March 5, 1979. The opinion of the District
Court is reported, *Sellars v. Estelle*, 450
F.Supp. 1245 (S.D.Tex., 1977) and *Sellars v.
Estelle*, 450 F.Supp. 1262 (S.D.Tex., 1978).

Upon consideration of the record, briefs,
and oral argument, we affirm on the basis
of the findings, conclusions, and published
opinions of the District Court.

AFFIRMED.

* District Judge of the United States District Court for the Northern District of Alabama,
sitting by designation.

2

Clay L. SHAW, Plaintiff-Appellee,

v.

Jim GARRISON et al.,
Defendants-Appellants.

No. 75-2019.

United States Court of Appeals,
Fifth Circuit.

March 26, 1979.

Appeal from the United States District
Court for the Eastern District of Louisiana;
Frederick J. R. Heebe, Chief Judge.

Malcolm W. Monroe, Michael L. Gold-
blatt, New Orleans, La., for Robertson, de-
fendant-appellant.

Peter J. Butler, New Orleans, La., for
defendants-appellants.

Jim Garrison, pro se.

Joseph M. Rault, Jr., pro se.

F. Irvin Dymond, Edward F. Wegmann,
William J. Wegmann, Salvatore Panzeca,
New Orleans, La., for plaintiff-appellee.

ON REMAND FROM THE SUPREME
COURT OF THE UNITED STATES

Before WISDOM and INGRAHAM, Cir-
cuit Judges, and GROOMS,* District Judge.

BY THE COURT:

The Supreme Court of the United States,
436 U.S. 584, 98 S.Ct. 1991, 56 L.Ed.2d
554, having reversed the judgment of this
Court of January 24, 1977, 545 F.2d 980, and
having remanded the cause to this Court
for further proceedings in accordance with
its opinion,

IT IS NOW HERE ORDERED AND AD-
JUDGED that the opinion and judgment of
this Court of January 24, 1977 are with-
drawn and vacated, and the judgment of
the District Court appealed from in this
cause, 391 F.Supp. 1353, is reversed, and the
cause remanded to the District Court with
directions to dismiss the action.

Reversed and Remanded.