

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 91-4470
Summary Calendar

FELIPE EPITACIO CHEW-VILLASANA,
Petitioner,

VERSUS

IMMIGRATION AND NATURALIZATION SERVICE,
Respondent.

Petition for Review of an Order of the
Immigration and Naturalization Service
(A27 648 180)

(November 30, 1992)

ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES
Before JOLLY, DAVIS, and SMITH, Circuit Judges.

PER CURIAM:*

On December 19, 1991, this court denied the petition for review in an unpublished opinion. After our mandate had issued, the County Court of Duval County, Texas, issued an order in State

* Local Rule 47.5.1 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that rule, the court has determined that this opinion should not be published.

v. Felipe Chew regarding a prior criminal conviction of the petitioner. The Supreme Court has vacated our judgment and remanded for further consideration in light of the new state court order. Chew-Villasana v. Immigration & Naturalization Serv., 61 U.S.L.W. 3284 (U.S. Oct. 13, 1992) (No. 91-7800).

In order to permit the Immigration and Naturalization Service to consider the issue of the petitioner's deportation in light of the intervening state court action and Supreme Court's order, we REMAND to that agency for further appropriate proceedings.