

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

No. 95-50673
Summary Calendar

REBECCA BUSH

Plaintiff-Appellee,

versus

TRAVELERS INDEMNITY COMPANY
OF RHODE ISLAND,
CHARTER OAK FIRE INSURANCE COMPANY,
KIRK LINDEMANN, and
SUSAN KING

Defendants-Appellants

On Appeal from the United States District Court
for the Western District of Texas
(SA-95-CV-321)

July 15, 1996

Before SMITH, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Because the district court's decision appears to be in conflict with this court's recent decision in *Patin v. Allied Signal, Inc.*, 77 F.3d 782 (5th Cir.1996) and because the *Patin* opinion was unavailable to the district court when it considered this case, the district court's judgment is vacated and the case is remanded to that court for its reconsideration in the light of our recent *Patin* decision and, if necessary, for its consideration of the additional issues pretermitted by its original decision. The petition for writ of mandamus is denied.

IT IS SO ORDERED.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.