

UNITED STATES COURT OF APPEALS  
For the Fifth Circuit

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No. 97-00535  
Summary Calendar

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In re: Danny Cline,

Movant.

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Appeal from the United States District Court  
For the Eastern District of Texas

(6:96-CV-175)

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December 5, 1997

Before DUHE', DeMOSS AND DENNIS, Circuit Judges.

PER CURIAM:\*

Danny Ray Cline, Texas prisoner #491760, requests that this court authorize his successive 28 U.S.C. §2254 habeas corpus application in the district court. However, in light of *Lindh v. Murphy*, --- U.S. ---, 117 S.Ct. 2059, 138 L.Ed.2d. 481 (1997 and this court's opinion in *Moran v. Stalder*, 121 F.3d 210 (5th Cir. 1997) coupled with the fact that Cline filed his petition for

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\*Pursuant to 5TH CIR. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

habeas relief prior to April 24, 1996, the effective date of the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), the district court's order of dismissal and final judgement of March 18, 1997 are VACATED and this matter is REMANDED to the district court for further proceedings under pre-AEDPA standards.