



626 F.2d 1324 (1980)

**Wiley L. BOLDEN et al., Plaintiffs-Appellees,
v.
CITY OF MOBILE, ALABAMA, et al., Defendants-Appellants.**

[Nos. 76-4210, 77-2042.](#)

United States Court of Appeals, Fifth Circuit.

September 15, 1980.

Charles B. Arendall, Jr., Mobile, Ala., Charles S. Rhyne, Washington, D. C., William S. Rhyne, Washington, D. C., for defendants-appellants.

J. U. Blacksher, Larry Menefee, Mobile, Ala., Edward Still, Birmingham, Ala., Jack Greenberg, Eric Schnapper, New York City, for plaintiffs-appellees.

Dennis J. Dimsey, Atty., Civil Rights Div., Appellate Sect., U. S. Dept. of Justice, Washington, D. C., Miriam R. Eisenstein, Brian K. Landsberg, Walter W. Barnett, Attys., Drew S. Days, III, Asst. Atty. Gen., Appellate Section, Civil Rights Div., Dept. of Justice, Washington, D. C., amicus curiae for United States.

Before WISDOM, SIMPSON and TJOFLAT, Circuit Judges.

**ON REMAND FROM THE SUPREME COURT OF THE
UNITED STATES**

PER CURIAM:

The judgment heretofore entered by the District Court in this case is VACATED and the case is REMANDED to the United States District Court for the Southern District of Alabama for further proceedings in light of the Supreme Court's opinion in *City of Mobile, Ala. v. Bolden*, ___ U.S. ___, 100 S.Ct. 1490, 64 L.Ed.2d 47 (1980).