

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
September 13, 2002
THOMAS K. KAHN
CLERK

No. 00-12150

D.C. Docket No. 96-02968-CV-BU-S

LARRY HOPE,

Plaintiff-Appellant,

versus

MARK PELZER, Sergeant,
Correctional Officer II,
GENE MCCLARAN, et al.,

Defendants-Appellees,

Appeal from the United States District Court for the
Northern District of Alabama

(September 13, 2002)

ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES

Before TJOFLAT and BIRCH, Circuit Judges, and VINING*, District Judge.

PER CURIAM:

On 27 June 2002, the Supreme Court of the United States reversed this panel's opinion in Hope v. Pelzer, 240 F.3d 975 (11th Cir. 2001). See Hope v. Pelzer, __ U.S. __, 122 S. Ct. 2508 (2002). Pursuant to the Supreme Court's opinion, we reverse the district court's grant of the defendant prison guards' motion for summary judgment and remand the case to the district court for further proceedings consistent with the Supreme Court's opinion.

REVERSED AND REMANDED.

* Honorable Robert L. Vining, Jr., U.S. District Judge for the Northern District of Georgia, sitting by designation.