

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 06-14047

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT JULY 27, 2010 JOHN LEY CLERK
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D. C. Docket No. 04-03422-CV-VEH-HGD

ROBERT BRYANT MELSON,

Petitioner-Appellant,

versus

RICHARD F. ALLEN, Commissioner,
Alabama Department of Corrections,

Respondent-Appellee.

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

(July 27, 2010)

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

Before BIRCH, BARKETT and WILSON, Circuit Judges.

PER CURIAM:

In Melson v. Allen, 548 F.3d 993 (11th Cir. 2008), we affirmed Robert B. Melson's death sentence following his 1996 capital murder convictions. The Supreme Court vacated our judgment, Melson v. Allen, ___ S. Ct. ___, 2010 WL 2471066 (June 21, 2010), and remanded the case to us for further consideration in light of its decision in Holland v. Florida, 560 U.S. ___, 130 S. Ct. 2549 (2010) WL 2346549. We hereby remand this case to the district court so that it may conduct the necessary fact-finding in the first instance in accordance with the principles set forth in Holland.

REMANDED.