

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 07-13366  
\_\_\_\_\_

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT AUG 3, 2010 JOHN LEY CLERK
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D. C. Docket No. 06-20182 CV-PAS

ALBERT HOLLAND, JR.,

Petitioner-Appellant,

versus

STATE OF FLORIDA,

Respondent-Appellee.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Florida  
\_\_\_\_\_

**(August 3, 2010)**

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

Before EDMONDSON, MARCUS and PRYOR, Circuit Judges.

PER CURIAM:

The Supreme Court vacated our judgment in Holland v. Florida, 539 F.3d 1334 (11th Cir. 2008), and remanded for further consideration. Holland v. Florida, 130 S. Ct. 2549 (2010). We therefore remand this case to the district court for fact finding and further proceedings -- including, if it is necessary, an evidentiary hearing -- consistent with the Supreme Court's instructions.

**REMANDED.**