

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 09-14820
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT AUGUST 18, 2010 JOHN LEY CLERK
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D. C. Docket No. 07-00333-CV-UA-SPC

JAMES D. FORD,

Petitioner-Appellant,

versus

SECRETARY, DEPARTMENT OF CORRECTIONS,
ATTORNEY GENERAL OF THE STATE OF FLORIDA,

Respondents-Appellees.

Appeal from the United States District Court
for the Middle District of Florida

(August 18, 2010)

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

Before DUBINA, Chief Judge, EDMONDSON and PRYOR, Circuit Judges.

PER CURIAM:

This appeal is before us on remand from the Supreme Court. See Ford v. McNeil, ___ S. Ct. ___, No. 09-7493 (June 21, 2010). This Court denied in an unpublished order James D. Ford's application for a certificate of appealability about the issue whether Ford is entitled to equitable tolling of the one-year limitations period in the Antiterrorism and Effective Death Penalty Act, 28 U.S.C. § 2244(d). The Supreme Court vacated that order and remanded to this Court for further consideration in the light of Holland v. Florida, 560 U.S. ___, 130 S. Ct. 2549 (2010). We now remand to the district court for the limited purpose of conducting further proceedings and fact-finding—including, if necessary, an evidentiary hearing—consistent with the opinion and judgment of the Supreme Court in Holland.

LIMITED REMAND.