

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 01-30935  
consolidated with  
No. 01-31405

---

TERRY ZAFFUTO; SUSAN ZAFFUTO,

Plaintiffs - Appellees-Cross-Appellants

versus

CITY OF HAMMOND; ET AL,

Defendants

CITY OF HAMMOND,

Defendants - Appellants-Cross-Appellees;

KENNY CORKERN,

Defendant-Appellant.

---

Appeals from the United States District Court  
for the Eastern District of Louisiana

---

November 18, 2002

**ON PETITION FOR REHEARING**

Before REAVLEY, BARKSDALE, and CLEMENT, Circuit Judges.

PER CURIAM:

Because the underlying opinion, Zaffuto v. City of Hammond, 308 F.3d 485 (5th Cir. 2002), reverses in part and remands for a new trial, the district court's award of attorney's fees to plaintiffs is VACATED. On remand, the district court shall, at the appropriate time, re-determine whether and to what extent the plaintiffs are entitled to attorney's fees.

In all other respects, the petition for rehearing is DENIED.