

United States Court of Appeals

Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

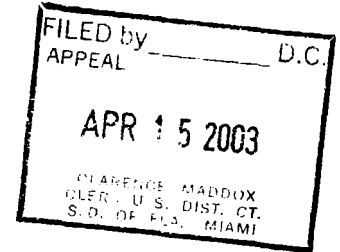
Thomas K. Kahn
Clerk

In Replying Give Number
Of Case And Names of Parties

April 10, 2003

Clarence Maddox
Clerk, U.S. District Court
301 N. Miami Avenue
Miami FL 33128

RE: 02-14963-GG Jorge Garcia v. USA
DC DKT NO.: 01-00801 CV-KMM



The enclosed certified copy of this Court's order of remand is issued as the mandate of this Court. Counsel and parties are advised that with this order of remand this appeal is concluded. If further review is to be sought in the future a timely new notice of appeal must be filed.

The record on appeal will be returned to you at a later date.

The district court clerk is requested to acknowledge receipt on the copy of this letter enclosed to the clerk.

Sincerely,

THOMAS K. KAHN, Clerk

Reply To: Elora Jackson (404) 335-6176

Encl.

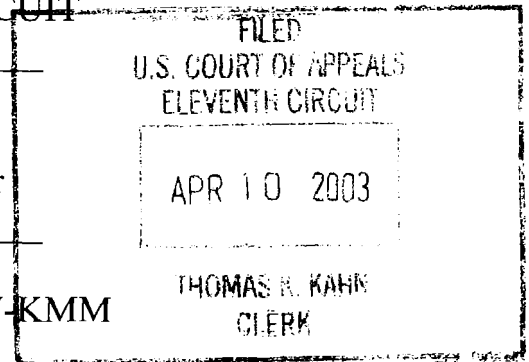
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IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 02-14963
Non-Argument Calendar

D. C. Docket No. 01-00801-CV-KMM



JORGE GARCIA,
SUSAN GARCIA,
NELSON RUIZ,
OSVALDO E. CUELI,

Plaintiffs-Appellees,

versus

UNITED STATES OF AMERICA,
UNITED STATES ARMY CORPS
OF ENGINEERS,
ASSISTANT SECRETARY OF THE
ARMY (CIVIL WORKS), Joseph W.
Westphal, in his official capacity,
FEDERAL DEFENDANTS,

Defendants-Appellants.

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

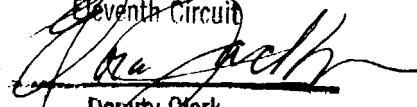
Before BARKETT and KRAVITCH, Circuit Judges, and FULLAM, District
Judge.*

*Honorable John P. Fullam, United States District Judge from the Eastern District of
Pennsylvania, sitting by designation.

BY THE COURT:

The appellants' motion to vacate judgment below and remand with instructions to dismiss the case as moot with each party bearing its own costs and fees is granted. All other pending motions are rendered moot by this determination.

A True Copy - Attested:
Clerk, U.S. Court of Appeals,
Eleventh Circuit


Deputy Clerk
Atlanta, Georgia