

(Cite as: 952 So.2d 129)

■ U.S. v. WOOLARDC.A.5 (Miss.),1993.

United States Court of Appeals,Fifth Circuit.  
UNITED STATES of America, Plaintiff-Appellant,  
v.  
John Fred WOOLARD and Dempsey A. Bruner, Defendants-Appellees.  
**No. 92-7006.**

May 4, 1993.

[Andrew McBride](#), Alexandria, VA, [Jay T. Golden](#), Asst. U.S. Atty., [George Phillips](#), U.S. Atty., Biloxi, MS, Robert Erickson, Deputy Chief, Crim. Div. Appellate Sec., Dept. of Justice, Washington, DC, for plaintiff-appellant.

[John H. Holdridge](#), Miss. and La. Capital Trial Assistance Proj., New Orleans, LA, [James L. Davis, III](#), Gulfport, MS (Court-appointed), [Merrida P. Coxwell, Jr.](#), Jackson, MS (Court-appointed), for Woolard.

[Chester D. Nicholson](#), Gulfport, MS, [Dennis Sweet, III](#), Jackson, MS (Court-appointed), for Bruner.

Appeal from the United States District Court for the Southern District of Mississippi; Walter J. Gex, III, Judge.\*820  
ON SUGGESTION FOR REHEARING EN BANC