NOT RECOMMENDED FOR FULL-TEXT PUBLICATION
File Name: 07a0116n.06
Filed: February 12, 2007

Case No. 03-1700

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

JUNE CARABELL, *et al.*	)	
	)	
Plaintiffs-Appellants,	)	
	)	**ORDER REMANDING CASE**
v.	)	**TO THE DISTRICT COURT**
	)	**WITH INSTRUCTIONS TO**
UNITED STATES ARMY CORPS OF	)	**REMAND TO THE ARMY**
ENGINEERS, *et al.*	)	**CORPS OF ENGINEERS**
	)	
Defendants-Appellees.	)	
	)	
_____	)	
	)	

BEFORE: BATCHELDER and GIBBONS, Circuit Judges; STAFFORD[*], District Judge.

Following the Supreme Court's decision in the consolidated cases of *Rapanos v. United States*, No. 04-1034, and *Carabell v. United States Army Corps of Engineers*, No. 04-1384, 126 S. Ct. 2208 (2006), we REMAND this case to the district court with instructions to remand to the Army Corps of Engineers for further proceedings consistent with the Supreme Court's decision in *Rapanos*.

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[*]The Honorable William Stafford, United States District Judge for the Northern District of Florida, sitting by designation.