

**UNITED STATES COURT OF APPEALS**

**FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

March 24, 2014

Lyle W. Cayce  
Clerk

\_\_\_\_\_  
No. 13-10306  
\_\_\_\_\_

D.C. Docket No. 3:08-CV-546

THE INCLUSIVE COMMUNITIES PROJECT, INCORPORATED,

Plaintiff - Appellee

v.

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS;  
MICHAEL GERBER; LESLIE BINGHAM-ESCARENO; TOMAS  
CARDENAS; C. KENT CONINE; DIONICIO VIDAL FLORES, Sonny; JUAN  
SANCHEZ MUNOZ; GLORIA L. RAY, In Their Official Capacities,

Defendants - Appellants

Appeal from the United States District Court for the  
Northern District of Texas, Dallas

Before JONES, WIENER, an GRAVES, Circuit Judges.

**J U D G M E N T**

This cause was considered on the record on appeal and was argued by counsel.

It is ordered and adjudged that the judgment of the District Court is reversed, and the cause is remanded to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that plaintiff-appellee pay to defendants-appellants the costs on appeal to be taxed by the Clerk of this Court.

A True Copy  
Attest

ISSUED AS MANDATE:

Clerk, U.S. Court of Appeals, Fifth Circuit

By: \_\_\_\_\_  
Deputy

New Orleans, Louisiana