

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-31012

BRANDON HAYNES

Petitioner-Appellee

versus

BURL CAIN, Warden, Louisiana State Penitentiary

Respondent-Appellant

- - - - -
Appeal from the United States District Court for the
Western District of Louisiana
- - - - -

ON PETITION FOR REHEARING EN BANC

(Opinion November 27, 2001, 5 Cir., 2001, _____F.3d_____)

(March 4, 2002)

BEFORE: KING, Chief Judge, JOLLY, HIGGINBOTHAM, DAVIS, JONES,
SMITH, WIENER, BARKSDALE, EMILIO M. GARZA, DeMOSS,
BENAVIDES, STEWART, PARKER, DENNIS and CLEMENT, Circuit
Judges.

BY THE COURT:

A member of the Court in active service having requested
a poll on the petition for rehearing en banc and a majority of
the judges in active service having voted in favor of granting a
rehearing en banc,

IT IS ORDERED that this cause shall be reheard by the
court en banc with oral argument on a date hereafter to be fixed.
The Clerk will specify a briefing schedule for the filing of
supplemental briefs.