

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 91-6037

FRANCES S. HODGES,

Plaintiff-Appellant,

versus

DELTA AIRLINES, INC.,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court for the
Southern District of Texas
- - - - -

ON PETITION FOR REHEARING AND SUGGESTION FOR REHEARING EN BANC
(Opinion October 10, 1993, 5 Cir., 1993, _____F.3d,____)

(January 12, 1994)

Before POLITZ, Chief Judge, GARWOOD, JOLLY, HIGGINBOTHAM, DAVIS,
JONES, SMITH, DUHÉ, WIENER, BARKSDALE, EMILIO M. GARZA,
and DeMOSS, Circuit Judges.*

BY THE COURT:

A member of the Court in active service having requested
a poll on the suggestion 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.

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 91-6070

CHARLES E. GENE SMITH and
JOAN SMITH, ET AL.,

Plaintiffs-Appellants,

versus

AMERICA WEST AIRLINES, INC.,
and CONNIE LYNN WEAVER,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court for the
Southern District of Texas
- - - - -

ON SUGGESTION FOR REHEARING EN BANC
(Opinion October 10, 1993, 5 Cir., 1993, _____F.3d,____)

(January 12, 1994)

Before POLITZ, Chief Judge, GARWOOD, JOLLY, HIGGINBOTHAM, DAVIS,
JONES, SMITH, DUHÉ, WIENER, BARKSDALE, EMILIO M. GARZA,
and DeMOSS, Circuit Judges.*

BY THE COURT:

A member of the Court in active service having requested
a poll on the suggestion 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.

