

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-41274

SIERRA CLUB; WILDERNESS SOCIETY; TEXAS COMMITTEE ON NATURAL
RESOURCES

Plaintiffs-Appellees

versus

R MAX PETERSON, ET AL

Defendants

DANIEL GLICKMAN, In his official capacity as the Secretary of the
Department of Agriculture; GLORIA MANNING, In her official
capacity as the Acting Regional Forester, U.S. Forest Service,
Region 8; MICHAEL DOMBECK, In his official capacity as Chief,
U.S. Forest Service; RONALD RAUM, In his official capacity as the
Forest Supervisor, National Forests and Grasslands in Texas

Defendants-Appellants

TEXAS FORESTRY ASSOCIATION; SOUTHERN TIMBER PURCHASERS COUNCIL

Intervenors-Defendants-
Appellants

- - - - -
Appeals from the United States District Court for the
Eastern District of Texas
- - - - -

ON PETITIONS FOR REHEARING EN BANC

(Opinion August 16, 1999, 5 Cir., 1999, _____F.3d_____)

(January 21, 2000)

Before KING, Chief Judge, JOLLY, HIGGINBOTHAM, DAVIS, JONES,
SMITH, WIENER, BARKSDALE, EMILIO M. GARZA, DeMOSS,
BENAVIDES, STEWART, and DENNIS, Circuit Judges.*

BY THE COURT:

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

*Judge Parker is recused and did not participate in this matter.