

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

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No. 98-60693

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In the Matter of: CONSTANCE P MERCER

Debtor

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AT&T UNIVERSAL CARD SERVICES

Appellant

VERSUS

CONSTANCE P MERCER

Appellee

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Appeal from the United States District Court  
for the Southern District of Mississippi  
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ON PETITION FOR REHEARING EN BANC

(Opinion April 26, 2000, 5 Cir., 2000, \_\_\_ F.3d \_\_\_)

(July 7, 2000)

Before JOLLY, HIGGINBOTHAM, DAVIS, JONES, SMITH, WIENER, BARKSDALE,  
EMILIO M. GARZA, DeMOSS, BENAVIDES, STEWART, PARKER, and  
DENNIS, 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

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\* Chief Judge King is recused and did not participate in this matter.

briefs.