

August 12, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 02-10190

LUCINDA G MILLER; ELAINE KING-MILLER

Plaintiffs-Appellees

versus

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

Defendant-Appellant

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

ON PETITION FOR REHEARING EN BANC
(Opinion May 13, 2003, 5 Cir., 2003, _____F.3d_____)

(August 12, 2003)

BEFORE: KING, Chief Judge, JOLLY, HIGGINBOTHAM, DAVIS, JONES,
SMITH, WIENER, BARKSDALE, EMILIO M. GARZA, DeMOSS,
BENAVIDES, STEWART, DENNIS, CLEMENT and PRADO, 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. No decision has yet been made with respect to

oral argument. The Clerk will specify a briefing schedule for the filing of supplemental briefs.