

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

January 25, 2012

\_\_\_\_\_  
No. 09-31215  
\_\_\_\_\_

Lyle W. Cayce  
Clerk

Plaintiff - Appellee

UNITED STATES OF AMERICA,

versus

MICHAEL WRIGHT,

Defendant - Appellant

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Appeal from the United States District Court for the  
Eastern District of Louisiana, New Orleans  
\_\_\_\_\_

ON PETITIONS FOR REHEARING AND REHEARING EN BANC

(Opinion April 20, 2011, 5 Cir., 2011, 639 F.3d 679)

Before JONES, Chief Judge, KING, JOLLY, DAVIS, SMITH, GARZA, BENAVIDES,  
STEWART, DENNIS, CLEMENT, PRADO, OWEN, ELROD, SOUTHWICK, HAYNES and  
GRAVES, Circuit Judges.<sup>1</sup>

PER CURIAM:

A member of the court having requested a poll on the petition for  
rehearing en banc, and a majority of the circuit judges in regular  
active service and not disqualified having voted in favor,

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.

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<sup>1</sup>Judge Stephen A. Higginson is recused and did not  
participate in this decision.