

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

September 23, 2019

Lyle W. Cayce  
Clerk

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No. 19-60133

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JOSEPH THOMAS; VERNON AYERS; MELVIN LAWSON,

Plaintiffs - Appellees

v.

PHIL BRYANT, Governor of the State of Mississippi, all in the official capacities of their own offices and in their official capacities as members of the State Board of Election Commissioners; DELBERT HOSEMANN, Secretary of State of the State of Mississippi, all in the official capacities of their own offices and in their official capacities as members of the State Board of Election Commissioners,

Defendants - Appellants

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Appeal from the United States District Court for the  
Southern District of Mississippi

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(Opinion August 1, 2019, 5 Cir., 2019, 931 F.3d 455)  
(Modified Opinion September 3, 2019, 5 Cir., 2019, 2019 WL 4153107)

Before STEWART, Chief Judge, JONES, SMITH, DENNIS, OWEN,  
ELROD, HAYNES, HIGGINSON, COSTA, WILLETT, HO, DUNCAN,  
ENGELHARDT, and OLDHAM, Circuit Judges.<sup>1</sup>

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<sup>1</sup> Judges Southwick and Graves are recused and did not participate in this decision.

No. 19-60133

BY THE COURT:

A majority of the circuit judges in regular active service and not disqualified having voted in favor, on the Court's own motion, to rehear this case 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.