

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

February 25, 2021

Lyle W. Cayce
Clerk

No. 18-11368

SHANNON DAVES; SHAKENA WALSTON; ERRIYAH BANKS;
DESTINEE TOVAR; PATROBA MICHIEKA; JAMES THOMPSON, ON
BEHALF OF THEMSELVES AND ALL OTHERS SIMILARLY
SITUATED; FAITH IN TEXAS; TEXAS ORGANIZING PROJECT
EDUCATION FUND,

Plaintiffs—Appellants Cross-Appellees,

versus

DALLAS COUNTY, TEXAS; ERNEST WHITE, 194TH; HECTOR
GARZA, 195TH; RAQUEL JONES, 203RD; TAMMY KEMP, 204TH;
JENNIFER BENNETT, 265TH; AMBER GIVENS-DAVIS, 282ND;
LELA MAYS, 283RD; STEPHANIE MITCHELL, 291ST; BRANDON
BIRMINGHAM, 292ND; TRACY HOLMES, 363RD; TINA YOO
CLINTON, NUMBER 1; NANCY KENNEDY, NUMBER 2; GRACIE
LEWIS, NUMBER 3; DOMINIQUE COLLINS, NUMBER 4; CARTER
THOMPSON, NUMBER 5; JEANINE HOWARD, NUMBER 6; CHIKA
ANYIAM, NUMBER 7 JUDGES OF DALLAS COUNTY, CRIMINAL
DISTRICT COURTS,

Defendants—Appellees Cross-Appellants,

MARIAN BROWN; TERRIE MCVEA; LISA BRONCHETTI; STEVEN
AUTRY; ANTHONY RANDALL; JANET LUSK; HAL TURLEY,
DALLAS COUNTY MAGISTRATES; DAN PATTERSON, NUMBER 1;
JULIA HAYES, NUMBER 2; DOUG SKEMP, NUMBER 3; NANCY
MULDER, NUMBER 4; LISA GREEN, NUMBER 5; ANGELA KING,

NUMBER 6; ELIZABETH CROWDER, NUMBER 7; CARMEN WHITE,
NUMBER 8; PEGGY HOFFMAN, NUMBER 9; ROBERTO CANAS, JR.,
NUMBER 10; SHEQUITTA KELLY, NUMBER 11 JUDGES OF DALLAS
COUNTY, CRIMINAL COURTS AT LAW,

Defendants—Appellees,

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:18-CV-154

ON PETITIONS FOR REHEARING
AND REHEARING EN BANC

(Opinion December 28, 2020, 5 CIR., 2020, 984 F.3D 381)

Before OWEN, *Chief Judge*, and JONES, SMITH, STEWART, DENNIS,
ELROD, SOUTHWICK, HAYNES, GRAVES, HIGGINSON, COSTA,
WILLETT, HO, DUNCAN, ENGELHARDT, and WILSON, *Circuit*
Judges.¹

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. Pursuant to

¹Judge Oldham is recused and did not participate in this decision.

5th Cir.R.41.3, the panel opinion in this case dated December 28, 2020, is vacated.

IT IS FURTHER ORDERED that the petition for rehearing is denied as moot.