

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

June 29, 2023

Lyle W. Cayce
Clerk

No. 20-61019

CHARLES RAY CRAWFORD,

Petitioner—Appellant,

versus

BURL CAIN, *Commissioner, Mississippi Department of Corrections;*
EARNEST LEE, *Superintendent, Mississippi State Penitentiary,*

Respondents—Appellees.

Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 3:17-CV-105

ON PETITION FOR REHEARING EN BANC

(Opinion December 15, 2022, 5 Cir., 2022, 55 F.4th 981, Withdrawn)
(Opinion May 19, 2023, 5 Cir., 2023, 68 F.4th 273)

Before RICHMAN, *Chief Judge*, and JONES, SMITH, STEWART,
ELROD, SOUTHWICK, HAYNES, HIGGINSON, WILLETT, HO,
DUNCAN, ENGELHARDT, OLDHAM, WILSON, and DOUGLAS,
*Circuit Judges.**

* JUDGE JAMES E. GRAVES, JR. did not participate in the consideration of the rehearing en banc.

PER CURIAM:

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. Pursuant to 5th Circuit Rule 41.3, the panel opinion in this case dated May 19, 2023, is VACATED.