

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

August 31, 2023

Lyle W. Cayce  
Clerk

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No. 21-50642

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

VICTOR MANUEL CAMPOS-AYALA; MARTIN MONCADA-DE LA  
CRUZ,

*Defendants—Appellants.*

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Appeal from the United States District Court  
for the Western District of Texas  
USDC Nos. 4:21-CR-38-2,  
4:21-CR-38-1

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ON PETITION FOR REHEARING EN BANC

(Opinion June 7, 2023, 5 Cir., 2023, 70 F.4<sup>th</sup> 261)

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

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 5<sup>th</sup> Circuit Rule 41.3, the panel opinion in this case dated June 7, 2023, is VACATED.