

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

June 23, 2022

Lyle W. Cayce
Clerk

No. 20-51016

MICHAEL CARGILL,

Plaintiff—Appellant,

versus

MERRICK GARLAND, *U.S. Attorney General*; UNITED STATES
DEPARTMENT OF JUSTICE; REGINA LOMBARDO, *in her official
capacity as Acting Director of the Bureau of Alcohol, Tobacco, Firearms, and
Explosives*; BUREAU OF ALCOHOL, *Tobacco, Firearms, and Explosives*,

Defendants—Appellees.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:19-CV-349

ON PETITION FOR REHEARING EN BANC

(Opinion December 14, 2021, 5 CIR., 2021, 20 F.4th 1004)

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

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 5th Circuit Rule 41.3, the panel opinion in this case dated December 14, 2021, is VACATED.