

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 94-6400

JEFFERSON COUNTY, A political
subdivision of the State of Alabama,

Plaintiff-Appellant,

versus

WILLIAM W. ACKER, JR.,

Defendant-Appellee.

JEFFERSON COUNTY, A political
subdivision of the State of Alabama,

Plaintiff-Appellant,

versus

U. W. CLEMON,

Defendant-Appellee.

Appeal from the United States District Court for the
Northern District of Alabama

ON PETITION FOR REHEARING AND SUGGESTION FOR REHEARING EN BANC
(Opinion August 21, 1995, 11th Cir., 1995, ___ F.2d ___)

(January 12, 1996)

Before TJOFLAT, Chief Judge, KRAVITCH, HATCHETT, ANDERSON, EDMONDSON, COX,
BIRCH, DUBINA, BLACK, CARNES and BARKETT, Circuit Judges.*

B Y T H E C O U R T :

A member of this court in active service having requested a poll on the suggestion for rehearing en banc and a majority of the judges in this court in active service having voted in favor of granting a rehearing en banc,

IT IS ORDERED that the above cause shall be reheard by this court en banc. The previous panel's opinion is hereby VACATED.

*Senior U.S. Circuit Judge Albert J. Henderson has elected to participate in further proceedings in this matter pursuant to 28 U.S.C. § 46(c).