

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 95-4908

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
07/31/98
THOMAS K. KAHN
CLERK

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

BARRY KAPLAN,

Defendant-Appellant.

Appeal from the United States District Court for the
Southern District of Florida

ON PETITION FOR REHEARING AND SUGGESTION FOR REHEARING EN BANC
(Opinion January 22, 1998, 11th Cir., 133 F.3rd 826)

(July 31, 1998)

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

BY THE COURT:

A member of this court in active service having requested a poll on the suggestion of 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.

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