

United States Court of Appeals

Eleventh Circuit.

No. 95-6243.

Cassandra JENKINS, a minor, By her mother and next friend, Sandra HALL; Onieka McKenzie, a minor, by her mother and next friend, Elizabeth McKenzie, Plaintiffs-Appellants,

v.

TALLADEGA CITY BOARD OF EDUCATION; Susannah Herring, individually and in her capacity as a teacher of Graham Elementary School; Melba Sirmon, individually and in her capacity as counselor at Graham Elementary School, Defendants-Appellees,

Charles Kurley, in his official capacity as Superintendent of the Talladega City School District, et al., Defendants.

Oct. 16, 1996.

On Appeal from the United States District Court for the Northern District of Alabama (No. 94-PT-739-E); Robert B. Propst, Judge.

(Panel Opinion September 23, 1996, 11th Cir., 1996, 95 F.3d 1036)

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

BY THE COURT:

A member of this court in active service having requested a poll on whether this case should be reheard by the Court sitting en banc, and a majority of the judges of 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.