

PUBLISH

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 97-6365

D.C. Docket Nos. CV 95-8005 &  
CR 90-266

<p><b>FILED</b> U.S. COURT OF APPEALS ELEVENTH CIRCUIT 12/03/99 cv THOMAS K. KAHN CLERK</p>
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DAVID RONALD CHANDLER ,

Petitioner-Appellant,

versus

UNITED STATES OF AMERICA,

Respondent-Appellee.

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

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**(December 3, 1999)**

(Opinion October 29, 1999, 193 F.3d 1297, 11th Cir., 1999)

Before ANDERSON, Chief Judge, TJOFLAT, EDMONDSON, COX, BIRCH,  
DUBINA, BLACK, BARKETT, HULL, MARCUS and WILSON, 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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\*Judge Ed Carnes has recused himself and will not participate.

