

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 99-14563

D.C. Docket No.98-02383-CV-T

JAMES JOHNSON,

Plaintiff-Appellant,

versus

K MART CORPORATION,

Defendant-Appellee.

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
DECEMBER 19, 2001
THOMAS K. KAHN
CLERK

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

(Opinion November 21, 2001, ___ F.3d ___, 11th Cir., 2001)
(December 19, 2001)

Before ANDERSON, Chief Judge, TJOFLAT, EDMONDSON, BIRCH, DUBINA,
BLACK, CARNES, BARKETT, HULL, MARCUS and WILSON 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 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.