

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 00-15783

\_\_\_\_\_  
BIA No. A90-358-688

**FILED**  
U.S. COURT OF APPEALS  
ELEVENTH CIRCUIT  
February 24, 2004  
THOMAS K. KAHN  
CLERK

ALBERT ADEFEMI,

Petitioner-Appellant,

versus

JOHN ASHCROFT, as Attorney General of U.S.,  
Ms. ROSEMARY MELVILLE, as the District  
Director for INS,  
UNITED STATES IMMIGRATION AND  
NATURALIZATION SERVICE,

Respondents-Appellees.

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Petition for Review of an Order of the  
Board of Immigration Appeals  
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(Opinion January 29, 2004, \_\_\_ F3.d \_\_\_, 11<sup>th</sup> Cir. 2004)

(February 24, 2004)

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

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\*Judge William H. Pryor, Jr., became a member of the court on February 20, 2004, and did not participate in the en banc poll. Judge Phyllis A. Kravitch has elected to participate in further proceedings.

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 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.