

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 02-14469

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
July 20, 2004
THOMAS K. KAHN
CLERK

D. C. Docket No. 00-03542-CV-JLK

THOMAS JOHNSON, DERRICK ANDRE THOMAS, ERIC ROBINSON,
ADAM HERNANDEZ, KATHRYN WILLIAMS-CARPENTER,
JAU'DOHN HICKS, JOHN HANES, in their own right and as
representatives of all ex-felon citizens of Florida,

Plaintiffs-Appellants,

OMALI YESHITELA,

Plaintiff,

versus

GOVERNOR OF THE STATE OF FLORIDA, Jeb Bush,
SECRETARY OF THE STATE OF FLORIDA, Katherine Harris,
CHARLIE CRIST, ROBERT MILLIGAN, WILLIAM NELSON,
ROBERT CRAWFORD, THOMAS GALLAGHER, in their roles
as members of the Clemency Board of Florida, BEVERLY HILL,
Alachua County Election Supervisor, et al.,

Defendants-Appellees.

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

(Opinion December 19, 2003, 353 F.3d 1287. 11th Cir. 2003)

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

*Judge Stanley Marcus has recused himself and will not participate. Judge Phyllis A. Kravitch has elected to participate in further proceedings in this matter pursuant to 28 U.S.C. § 46c).