

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

\_\_\_\_\_  
No. 05-14631  
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(D.C. Docket No. 03-00083-CR)

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT AUGUST 14, 2007 THOMAS K. KAHN CLERK
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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

EDDIE MILTON GAREY, JR.,  
a.k.a. Miles Garey,  
a.k.a. Milton Garey,  
a.k.a. Eddie Garey,

Defendant-Appellant.

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On Appeal from the United States District Court  
for the Middle District of Georgia  
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(Opinion April 11, 2007, 483 F.3rd 1159, 11<sup>th</sup> Cir. 2007)

**(August 14, 2007)**

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

**BY THE COURT:**

A member of this Court in active service having requested a poll on the suggestions 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.