

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 06-11841

FILED  
U.S. COURT OF APPEALS  
ELEVENTH CIRCUIT  
JAN 07 2008  
THOMAS K. KAHN  
CLERK

DANIEL SIEBERT,

Petitioner-Appellant,

versus

RICHARD F. ALLEN, Commissioner,  
Alabama Department of Corrections,

Respondent-Appellee.

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Appeal from the United States District Court for the  
Northern District of Alabama  
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Before TJOFLAT, BARKETT and WILSON, Circuit Judges.

O R D E R:

Based upon our review of Petitioner-Appellant's Motion for Clarification filed January 4, 2008, and given that jurisdiction over this case remains with the United States Supreme Court until rehearing is resolved and their final judgment issues, we vacate this Court's December 21, 2007 opinion on remand from the Supreme Court of the United States.