

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

\_\_\_\_\_  
No. 08-15444

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(D.C. Docket No. 04-00151-CV-WLS)

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT November 9, 2010 JOHN LEY CLERK
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WARREN LEE HILL, JR.,

Petitioner-Appellant,

versus

DERRICK SCHOFIELD,

Respondent-Appellee.

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On Appeal from the United States District Court for the  
Middle District of Georgia  
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(Opinion June 18, 2010, 608 F.3d 1272, 11<sup>th</sup> Cir. 2010)

(November 9, 2010)

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

**BY THE COURT:**

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.