

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 08-16788  
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FILED  
U.S. COURT OF APPEALS  
ELEVENTH CIRCUIT  
AUGUST 31, 2010  
JOHN LEY  
CLERK

FIRST VAGABONDS CHURCH OF GOD,  
an unincorporated association,  
BRIAN NICHOLS,  
ORLANDO FOOD NOT BOMBS,  
an unincorporated association,  
RYAN SCOTT HUTCHINSON,  
BENJAMIN B. MARKESON,  
ERIC MONTANEZ,  
ADAM ULRICH,

Plaintiffs-Appellees,  
Cross-Appellants,

versus

CITY OF ORLANDO, FLORIDA,

Defendant-Appellant,  
Cross-Appellee,

NATIONAL LAW CENTER ON  
HOMELESSNESS & POVERTY,

Amicus.

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On Appeal from the United States District Court for the  
Middle District of Florida  
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(Opinion July 6, 2010, 610 F.3d 1274, 11<sup>th</sup> Cir. 2010)

(August 31, 2010)

BEFORE: DUBINA, Chief Judge, TJOFLAT, EDMONDSON, BLACK, CARNES, BARKETT, HULL,  
WILSON, PRYOR and MARTIN, 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.

\*Judge Stanley Marcus has recused himself and will not participate.