

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

\_\_\_\_\_  
No. 10-14920

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(D.C. Docket No. 6:07-cv-00897-JA-KRS)

WYDELL EVANS,

Petitioner-Appellant,

versus

SECRETARY,  
DEPARTMENT OF CORRECTIONS,

Respondent-Appellee.

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On Appeal from the United States District Court for the  
Middle District of Florida  
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(Opinion May 23, 2012, 681 F.3d 1241, 11<sup>th</sup> Cir. 2012)

(July 13, 2012)

Before DUBINA, Chief Judge, TJOFLAT, CARNES, BARKETT, HULL, MARCUS, WILSON, PRYOR,  
MARTIN and JORDAN, 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.