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2018 Decisions

Opinions of the United  
States Court of Appeals  
for the Third Circuit

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2-1-2018

## Darren Nance v. Joseph Santiago

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 16-4450

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DARREN M. NANCE,

Appellant

v.

CITY OF NEWARK; NEWARK POLICE DEPARTMENT;  
THE MAYOR, SHARPE JAMES; JOSEPH J. SANTIAGO;  
THOMAS C. O'REILLY; ROBERT K. RANKIN, JR.;  
MITCHELL MCQUIRE; MICHAEL O'CONNOR;  
JAMES DAVID O'CONNOR; WILLIE E. UNDERWOOD;  
IRVING B. GULLER; JOSE OMAR COLON;  
CHADRAKANT PATEL; JAMES E. TUNIS;  
ISABELLA CASTELLANOS; VINCENT BONGERMINO;  
JOHN DOES (1-10); RICHARD PARABOSCHI;  
NICHOLAS MARESCA; ANTHONY CAMPOS; JOHN ZAKOWSKI

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Appeal from the United States District Court  
for the District of New Jersey  
(D.C. Civil Action No. 2-97-cv-06184)  
District Judge: Honorable Jose L. Linares

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Before: AMBRO, KRAUSE, Circuit Judges and CONTI<sup>♦</sup>, Chief District Judge

**SUR PETITION FOR PANEL REHEARING**

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The petition for panel rehearing filed by Appellant in the above entitled case having been submitted to the judges who participated in the decision of this Court.

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<sup>♦</sup> Honorable Chief Judge Joy Flowers Conti, District Court Judge for the Western District of Pennsylvania, sitting by designation.

Appellant's Reply was considered by the Court. It is hereby ORDERED that the petition for rehearing by the panel is GRANTED, in part and the Opinion and Judgment entered October 27, 2017 are vacated. A new Opinion and Judgment will be filed forthwith.

By the Court,

s/ Thomas L. Ambro, Circuit Judge

Dated: February 1, 2018  
SLC/cc: Darren M. Nance  
John S. Favate, Esq.  
Samuel J. Halpern, Esq.