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2015 Decisions

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

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5-6-2015

## James Dennis v. Secretary PA Department of Cor

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 13-9003

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JAMES A. DENNIS

v.

SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS;  
SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE;  
SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW;  
DISTRICT ATTORNEY OF PHILADELPHIA COUNTY,  
Appellants

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On Appeal from United States District Court  
for the Eastern District of Pennsylvania  
(E.D. Pa. No. 2-11-cv-01660)  
District Judge: Honorable Anita B. Brody

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PRESENT: McKEE, Chief Judge, RENDELL, AMBRO, FUENTES, SMITH,  
FISHER, CHAGARES, JORDAN, HARDIMAN, GREENAWAY, Jr.,  
VANASKIE, SHWARTZ, and KRAUSE Circuit Judges

**ORDER**

A majority of the active judges having voted for rehearing *en banc* in the above captioned case, it is ordered that the petition for rehearing is GRANTED. The Clerk of this Court shall list the case for rehearing *en banc* at the convenience of the Court. The opinion and judgment entered February 9, 2015 are hereby vacated.

By the Court,

s/ Theodore A. McKee  
Chief Circuit Judge

Date: May 6, 2015

NMR/cc: Stuart B. Lev, Esq.  
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Ryan Dunlavey, Esq.  
Catherine M.A. Carroll, Esq.