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States Court of Appeals  
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3-29-2019

## Lenny Cain v. BOP

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 18-1848

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LENNY CAIN,  
Appellant

v.

BUREAU OF PRISONS; WARDEN  
ALLENWOOD FCI; DHO BITTENBENDER

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On Appeal from the United States District Court  
for the Middle District of Pennsylvania  
(D.C. Civil Action No. 17-cv-00105)  
District Judge: Honorable William J. Nealon, Junior

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Before: AMBRO, KRAUSE and PORTER, Circuit Judges

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**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, it is hereby ORDERED that the petition for rehearing by the panel is granted. The Opinion and Judgment issued January 18, 2019 are hereby vacated. A new Opinion and Judgment will be filed at a later date. Appellant's Reply was considered by the Court.

By the Court,

s/ Thomas L. Ambro, Circuit Judge

Dated: March 29, 2019  
PDB/TMM/cc: Lenny Cain  
Melissa A. Swauger, Esq