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USA v. Jay Goldstein

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 15-4094

UNITED STATES OF AMERICA

v.

JAY GOLDSTEIN a/k/a Yaakov

JAY GOLDSTEIN,
Appellant

On Appeal from the United States District Court
for the District of New Jersey
(D.N.J. No. 3-14-cr-00287-003)
District Judge: Honorable Freda L. Wolfson

SUR PETITION FOR PANEL REHEARING

Before: CHAGARES, RESTREPO, and ROTH, Circuit Judges

The petition for 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 **O R D E R E D** that the petition for panel rehearing is **GRANTED**. The opinion entered July 7, 2017 and amended on July 17, 2017 is hereby **VACATED** as to appeal 15-4094 only.

The Court directs that counsel provide it with supplemental letter memoranda on the subject of cell site location information and the applicability to this case of the Supreme Court's decision in *Carpenter v. United States*, 585 U.S. ___, 138 S.Ct. 2206 (2018). The letter memoranda shall not exceed 10 pages in length and shall be filed by September 25, 2018.

By the Court,

s/ JANE R. ROTH
Circuit Judge

Dated: August 30, 2018

CJG/cc: Mark E. Coyne, Esq.
Norman Gross, Esq.
Glenn J. Moramarco, Esq.
Aidan P. O'Connor, Esq.