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USA v. Ibrahim McCants

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UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 17-3103

UNITED STATES OF AMERICA

v.

IBRAHIM MCCANTS,
Appellant

(D.N.J. 2:15-cr-00551-001)

SUR PETITION FOR REHEARING

Present: SMITH, *Chief Judge*, MCKEE, AMBRO, CHAGARES, JORDAN, HARDIMAN, GREENAWAY, JR., KRAUSE, RESTREPO, BIBAS, and PORTER, *Circuit Judges*.

Upon consideration of the petition for rehearing filed by appellant in the above-entitled case by the judges who participated in the decision of this Court and by all other available judges of the circuit in regular active service, it is hereby ORDERED that the request for rehearing before the original panel is GRANTED. In light of the action taken by the panel, the petition for rehearing en banc is DISMISSED. The opinion and judgment entered December 18, 2018 are hereby VACATED. A subsequent opinion and judgment will be issued concurrently herewith.

The motion by the Federal Public and Community Defender Organizations within the Third Circuit to proceed as an amicus and the motion by appellant to file a reply to appellee's response to the petition for rehearing are granted.

BY THE COURT,

s/ Thomas M. Hardiman
Circuit Judge

Dated: April 5, 2019

kr/cc: Mark E. Coyne, Esq.
Richard J. Ramsay, Esq.
Louise Arkel, Esq.
Leticia Olivera, Esq.
Brett G. Sweitzer, Esq.