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2013 Decisions

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

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6-14-2013

## Brittany Morrow v. Barry Balaski

Precedential or Non-Precedential: Precedential

Docket No. 11-2000

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PRECEDENTIAL

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 11-2000

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BRITTANY MORROW; EMILY MORROW,  
Minors, In Their Own Right, And By Their Parents  
and Natural Guardians, Bradley Morrow and Diedre Morrow;  
BRADLEY MORROW; DIEDRE MORROW, Individually,  
Appellants

v.

BARRY BALASKI, Individually;  
THE BLACKHAWK SCHOOL DISTRICT

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On Appeal from the District Court  
for the Western District of Pennsylvania  
(No. 2:10-cv-00292)  
Chief Magistrate Judge Lisa Pupo Lenihan

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Argued on October 10, 2012  
Opinion Filed June 5, 2012

Before: McKEE, Chief Judge, SLOVITER, SCIRICA, RENDELL, AMBRO, FUENTES,  
SMITH, FISHER, CHAGARES, JORDAN, HARDIMAN, GREENAWAY, JR.,  
VANASKIE and NYGAARD, Circuit Judges.

**ORDER AMENDING OPINION**

At the direction of the Court, it is hereby O R D E R E D that the opinion filed June 5,  
2013 shall be amended.

Accordingly, the majority opinion is amended as follows:

1. Judge Ambro's participation in the majority opinion will be changed from "joins Section III B. of the majority only" to "joining in judgment as expressed";
2. "Fourteenth" on page 9 of the slip opinion will be changed to "Fourteenth";
3. The citation to "Fuentes Dissent 18" on page 14 will be changed to "Fuentes Dissent 21";
4. The citation to "Fuentes Dissent 18" on page 14, footnote 11, will be changed to "Fuentes Dissent 21";
5. The citation to "Fuentes Dissent 18-19" on page 15 will be changed to "Fuentes Dissent 21";
6. The citation to "Fuentes Dissent 3" on page 15 will be changed to "Fuentes Dissent 3-4";
7. The citation to "Fuentes Dissent 9" on page 16 will be changed to "Fuentes Dissent 10";
8. The citation to "Fuentes Dissent 9" on page 16, footnote 13 will be changed to "Fuentes Dissent 10";
9. The citation to "Fuentes Dissent 3" on page 17 will be changed to "Fuentes Dissent 3-4";
10. The citation to "Fuentes Dissent 14" on page 17, footnote 14, will be changed to "Fuentes Dissent 16";
11. The citation to "Fuentes Dissent 10" on page 18 will be changed to "Fuentes Dissent 12-15";
12. The citation to "Fuentes Dissent 13" on page 20 will be changed to "Fuentes Dissent 14-15";
13. The citation to "Fuentes Dissent 6 n.3" on page 21 will be changed to "Fuentes Dissent 7 n.3"; and,
14. The citation to "Fuentes Dissent 24" on page 27 will be changed to "Fuentes Dissent 29."

Judge Ambro's concurring and dissenting opinion is amended as follows:

1. The citation to “Fuentes Dissent 26 on page 2 will be changed to “Fuentes Dissent 31.”

Judge Fuentes’s dissenting opinion is amended as follows:

1. The citation to “Majority Op. at 13” on page 19 will be changed to “Majority Op. at 12”; and,
2. The citation to “Majority Op. at 26” on page 30 will be changed to “Majority Op. at 27.”

For the Court,

*Marcia M. Waldron*

Marcia M. Waldron, Clerk

Date: June 14, 2013

tmk/cc: Albert A. Torrence, Esq.

John J. Hare, Attorney