

# United States Court of Appeals

For the Seventh Circuit  
Chicago, Illinois 60604

August 16, 2010

*Before*

RICHARD D. CUDAHY, *Circuit Judge*

RICHARD A. POSNER, *Circuit Judge*

TERENCE T. EVANS, *Circuit Judge*

UNITED STATES OF AMERICA,	)	
<i>Plaintiff-Appellee,</i>	)	Appeal from the United States District
	)	Court for the Northern District of Illinois,
No. 09-1426	)	Western Division.
	)	
v.	)	No. 08 CR 50023
	)	
JOSE F. TAPIA,	)	Frederick J. Kapala, <i>Judge.</i>
<i>Defendant-Appellant.</i>	)	

## ORDER

On consideration of the Defendant-Appellant's Petition for Rehearing filed on August 11, 2010, in the above-captioned case, all of the judges on the panel have voted to deny rehearing. Therefore, the petition is **DENIED**.

However, the slip opinion is amended to remove the last sentence of the full paragraph on page 15:

Moreover, as stated in the discussion of Rodriguez' testimony, the judge was able to observe and consider the manner and demeanor of the witnesses, and such observations should be given deference. *Edwards*, 898 F.2d at 1276.