

United States Court of Appeals
For the Seventh Circuit
Chicago, Illinois 60604

October 29, 2020

Before

ILANA DIAMOND ROVNER, *Circuit Judge*

DAVID F. HAMILTON, *Circuit Judge**

No. 19-2239

ADAM DELGADO,
Petitioner,

Petition for Review of Decisions of
the Merit Systems Protection Board.

v.

Docket No. CH-1221-14-0737-M-1
Docket No. CH-1221-18-0149-W-2

UNITED STATES DEPARTMENT OF JUSTICE,
Bureau of Alcohol, Tobacco, Firearms, and
Explosives,
Respondent.

ORDER

Respondent's petition for panel rehearing filed on August 28, 2020, pointed out a factual error in the panel's opinion of July 16, 2020. Upon consideration of the petition and the answer, the petition for rehearing is GRANTED to the extent that the panel is issuing an amended opinion that corrects the error and addresses in more detail the respondent's arguments concerning its affirmative defense. The amended portions of the opinion appear on pages 3, 17–22 of the amended slip opinion. In all other respects, the petition for panel rehearing is DENIED. The mandate shall issue immediately, but petitioner Delgado's petition for attorney fees remains under consideration. The amended opinion is attached.

* Then-Circuit Judge Barrett was a member of the original panel but did not participate in consideration of the petition for panel rehearing, which is being decided by a quorum of the panel under 28 U.S.C. § 46(d).