

United States Court of Appeals For the First Circuit

No. 09-2386

JUAN LOPERA, ET AL.,
Plaintiffs, Appellants,

v.

TOWN OF COVENTRY, ET AL.,
Defendants, Appellees.

Before

Lynch, Chief Judge,
Torruella, Selya, Boudin, Lipez,
Howard and Thompson,
Circuit Judges.

ORDER OF COURT
Entered: May 20, 2011

Pursuant to First Circuit Internal Operating Procedure X(C), the petition for rehearing en banc has also been treated as a petition for rehearing before the original panel. The petition for rehearing having been denied by the panel of judges who decided the case, and the petition for rehearing en banc having been submitted to the active judges of this court and a majority of the judges not having voted that the case be heard en banc, it is ordered that the petition for rehearing and petition for rehearing en banc be denied.

TORRUELLA, Circuit Judge, dissenting without comment.

THOMPSON, Circuit Judge, dissenting. For the reasons expressed in my dissent from the panel opinion, I dissent from the denial of rehearing en banc. See Lopera v. Town of Coventry, No. 09-2386, 2011 WL 1205661 (1st Cir. April 1, 2011) (Thompson, J., dissenting in part).

By the Court:
/s/ Margaret Carter, Clerk

cc: Ms. Corcoran, Mr. DeSisto, Mr. Robinson, Mr. Bender and Ms. Bejma.