

**IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

No. 10-14920

(D.C. Docket No. 6:07-cv-00897-JA-KRS)

WYDELL EVANS,

Petitioner-Appellant,

versus

SECRETARY,
DEPARTMENT OF CORRECTIONS,

Respondent-Appellee.

On Appeal from the United States District Court for the
Middle District of Florida

(Opinion May 23, 2012, 681 F.3d 1241, 11th Cir. 2012)

(July 13, 2012)

Before DUBINA, Chief Judge, TJOFLAT, CARNES, BARKETT, HULL, MARCUS, WILSON, PRYOR,
MARTIN and JORDAN, Circuit Judges.

BY THE COURT:

A member of this Court in active service having requested a poll on the suggestions of rehearing en banc and a majority of the judges in this Court in active service having voted in favor of granting a rehearing en banc,

IT IS ORDERED that the above cause shall be reheard by this court en banc. The previous panel's opinion is hereby VACATED.