

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 18-1045

JAMES R. ADAMS

v.

GOVERNOR OF DELAWARE,
Appellant

(D. Del. No.: 17-cv-00181)

SUR PETITION FOR PANEL REHEARING

Present: MCKEE, RESTREPO, and FUENTES, Circuit Judges

The petition for rehearing filed by appellant in the above-entitled case having been submitted to the judges who participated in the decision of this Court, it is hereby **O R D E R E D** that the petition for rehearing by the panel is granted. The Court's judgment entered February 5, 2019, and the Court's precedential opinion as amended February 13, 2019 are hereby **V A C A T E D**.¹ A subsequent opinion and judgment will be issued.

BY THE COURT,

s/ Julio M. Fuentes
Circuit Judge

Dated: April 10, 2019

CJG/cc: David L. Finger, Esq.

¹ As the merits panel has vacated the prior opinion and judgment, action is not required by the en banc court. Judges Jordan and Bibas have voted for rehearing en banc.

Pilar G. Kraman, Esq.
Martin S. Lessner, Esq.
David C. McBride, Esq.