

## United States Court of Appeals

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

August 21, 2014

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW

Regarding: Fifth Circuit Statement on Petitions for Rehearing  
or Rehearing En Banc

No. 13-10939 Albert Hill, III v. Tom Hunt, et al  
USDC No. 3:07-CV-2020

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Enclosed is a copy of the court's decision. The court has entered judgment under FED R. APP. P. 36. (However, the opinion may yet contain typographical or printing errors which are subject to correction.)

FED R. APP. P. 39 through 41, and 5<sup>TH</sup> CIR. R.s 35, 39, and 41 govern costs, rehearings, and mandates. **5<sup>TH</sup> CIR. R.s 35 and 40 require you to attach to your petition for panel rehearing or rehearing en banc an unmarked copy of the court's opinion or order.** Please read carefully the Internal Operating Procedures (IOP's) following FED R. APP. P. 40 and 5<sup>TH</sup> CIR. R. 35 for a discussion of when a rehearing may be appropriate, the legal standards applied and sanctions which may be imposed if you make a nonmeritorious petition for rehearing en banc.

Direct Criminal Appeals. 5<sup>TH</sup> CIR. R. 41 provides that a motion for a stay of mandate under FED R. APP. P. 41 will not be granted simply upon request. The petition must set forth good cause for a stay or clearly demonstrate that a substantial question will be presented to the Supreme Court. Otherwise, this court may deny the motion and issue the mandate immediately.

Pro Se Cases. If you were unsuccessful in the district court and/or on appeal, and are considering filing a petition for certiorari in the United States Supreme Court, you do not need to file a motion for stay of mandate under FED R. APP. P. 41. The issuance of the mandate does not affect the time, or your right, to file with the Supreme Court.

The judgment entered provides that appellant pay to appellees the costs on appeal.

Sincerely,

LYLE W. CAYCE, Clerk

A handwritten signature in cursive script that reads "Jamei R. Cheramie". The signature is written in dark ink on a light-colored background.

By: \_\_\_\_\_  
Jamei R. Cheramie, Deputy Clerk

Enclosure(s)

Mr. Joseph Keith Benedict  
Mr. Bruce Wayne Bowman Jr.  
Mr. William Ira Bowman  
Mr. Howard Louis Close  
Mr. Tom Moore Dees III  
Mr. Kirk Todd Florence  
Mr. Donald Everett Godwin  
Ms. Carrie L. Huff  
Mr. Frank N. Ikard Jr.  
Mr. Patrick Boone McAndrew  
Mr. Shawn Malcolm McCaskill  
Mr. Michael Mowla  
Mr. Michael L. Raiff  
Mr. Harry Max Reasoner  
Ms. Kathleen Sheila Rose  
Mr. Brian Patrick Shaw  
Mr. Israel Ramon Silvas  
Mr. Stephen D. Susman  
Mr. Stewart Hyer Thomas  
Ms. Aarti Khanolkar Wilson  
Mr. Thomas Clark Wright