

UNITED STATES COURT OF APPEALS

FOR THE SIXTH CIRCUIT

PLANNED PARENTHOOD OF GREATER OHIO; PLANNED
PARENTHOOD OF SOUTHWEST OHIO REGION,

Plaintiffs-Appellees,

v.

LANCE HIMES, in his official capacity as Interim
Director of the Ohio Department of Health,

Defendant-Appellant.

No. 16-4027

On Petition for Rehearing En Banc.

Decided and Filed: June 21, 2018

Before: COLE, Chief Judge; BATCHELDER, MOORE, CLAY, GIBBONS, SUTTON, COOK,
GRIFFIN, KETHLEDGE, WHITE, STRANCH, DONALD, THAPAR,
BUSH, LARSEN, and NALBANDIAN, Circuit Judges.

ORDER

A majority of the Judges of this Court in regular active service has voted for rehearing en banc of this case. Sixth Circuit Rule 35(b) provides as follows:

The effect of the granting of a hearing en banc shall be to vacate the previous opinion and judgment of this court, to stay the mandate and to restore the case on the docket sheet as a pending appeal.

Accordingly, it is ORDERED, that the previous decision and judgment of this court are vacated, the mandate is stayed and this case is restored to the docket as a pending appeal.

The Clerk will direct the parties to file supplemental briefs and will schedule this case for oral argument as soon as possible.

ENTERED BY ORDER OF THE COURT

A handwritten signature in black ink, appearing to read "Deborah S. Hunt". The signature is written in a cursive style with a large initial "D" and "H".

Deborah S. Hunt, Clerk