

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

August 16, 2010

Before

RICHARD D. CUDAHY, *Circuit Judge*

RICHARD A. POSNER, *Circuit Judge*

TERENCE T. EVANS, *Circuit Judge*

UNITED STATES OF AMERICA,)
Plaintiff-Appellee,) Appeal from the United States District
) Court for the Northern District of Illinois,
No. 09-1426) Western Division.
)
v.) No. 08 CR 50023
)
JOSE F. TAPIA,) Frederick J. Kapala, *Judge*.
Defendant-Appellant.)

ORDER

On consideration of the Defendant-Appellant's Petition for Rehearing filed on August 11, 2010, in the above-captioned case, all of the judges on the panel have voted to deny rehearing. Therefore, the petition is **DENIED**.

However, the slip opinion is amended to remove the last sentence of the full paragraph on page 15:

Moreover, as stated in the discussion of Rodriguez' testimony, the judge was able to observe and consider the manner and demeanor of the witnesses, and such observations should be given deference. *Edwards*, 898 F.2d at 1276.