

**In the Commonwealth Court of Pennsylvania**

Richard Sienkiewicz, Jr.,  
t/d/b/a Montage Mini-Mart, Inc.  
v.  
Commonwealth of Pennsylvania,  
Department of Transportation,  
Appellant

No.: 1231 CD 2003

Richard Sienkiewicz, Jr. t/d/b/a  
Montage Mini-Mart, Inc.,  
Appellant  
v.  
Commonwealth of Pennsylvania,  
Department of Transportation

No.: 1332 CD 2003

**ORDER**

NOW, March 19, 2004, having considered the application for reargument before the Court en banc filed by appellant, DOT, and the answer of appellee, the application is denied.

**BY THE COURT:**

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James Gardner Colins  
President Judge