

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

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No. 02-3158

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KEVIN KENDRICK,  
Appellant

v.

THE DISTRICT ATTORNEY OF THE COUNTY OF PHILADELPHIA;  
THE ATTORNEY GENERAL OF THE STATE OF PENNSYLVANIA;  
NANCY BAILEY, SUPERINTENDENT OF FCI, FORT DIX

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On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
(D.C. No. 00-cv-03561)  
District Judge: Honorable William H. Yohn, Jr.

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Originally Argued January 13, 2004  
Before: BECKER, ALITO, and CHERTOFF, Circuit Judges

Resubmitted May 1, 2007  
Before: SLOVITER, MCKEE, and CHAGARES,  
Circuit Judges\*

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(Filed June 7, 2007)

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ORDER AMENDING OPINION

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\*This case was argued before the panel of Judges Becker, Alito, and Chertoff on January 13, 2004. Judge Michael Chertoff subsequently resigned on February 15, 2005. Judge, now Justice, Samuel A. Alito, Jr. was elevated to the United States Supreme Court on January 31, 2006. Judge Edward R. Becker passed away on May 19, 2006. The panel was reconstituted on June 6, 2006 to consist of Judges Sloviter, McKee and Chagares.

IT IS ORDERED that the slip opinion in the above case, filed June 7, 2007, be amended as follows:

Page 1 of the caption, line 5 of the Appellees:

NANCY BAILEY, SUPERINTENDENT OF FBI, FORT DIX

should be deleted and replaced by:

NANCY BAILEY, SUPERINTENDENT OF FCI, FORT DIX

By the Court,

/s/ Dolores K. Sloviter

Circuit Judge

Dated: 11 June 2007