

PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Nos. 03-4490, 03-4542 & 03-4560

UNITED STATES OF AMERICA

v.

PAUL J. LEAHY,
Appellant at No. 03-4490

TIMOTHY SMITH,
Appellant at No. 03-4542

DANTONE, INC,
t/a Carriage Trade Auto Auction,
Appellant at No. 03-4560

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
D.C. Criminal Nos. 01-cr-00260-2/-1/-3
(Honorable J. Curtis Joyner)

Present: SCIRICA, Chief Judge,
SLOVITER, ALITO, ROTH, McKEE, RENDELL, BARRY,
AMBRO, FUENTES, SMITH, FISHER, VAN ANTWERPEN,
and BECKER, Circuit Judges

O R D E R

A majority of the active judges having voted for rehearing *en banc* in the above appeal, it is ordered that the Clerk of this Court list the above case for rehearing *en banc* at 9:30 a.m. on Tuesday, November 1, 2005.

BY THE COURT,

/s/ Anthony J. Scirica
Chief Judge

DATED: September 15, 2005

CLC\cc: Ian M. Comisky, Esq.

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