

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 11-1744

HADDRICK BYRD,
Appellant

v.

ROBERT SHANNON, Superintendent SCI-Frackville;
V. STANISHEFSKI, Corrections Health
Care Administrator SCI-Frackville;
JACK ROBINSON, Supervising Nurse SCI-Frackville;
H. SPENCER, Nurse SCI-Frackville;
DORINA VARNER, Chief Grievance Officer, Camp Hill, PA

On Appeal from the United States District Court
for the Middle District of Pennsylvania
(D.C. No. 1-09-cv-01551)
District Judge: Honorable Sylvia H. Rambo

Present: FUENTES, FISHER and COWEN, *Circuit Judges*.

SUR PETITION FOR PANEL REHEARING

The petition for panel rehearing filed by Appellant having been submitted to the judges who participated in the decision of this court, it is hereby ORDERED that the petition for panel rehearing is GRANTED. The opinion filed March 11, 2013, is hereby VACATED, and a subsequent opinion will be issued.

The court's order entered March 27, 2013, denying the motion for stay of the payment of the filing fee is VACATED. Payment of the filing fee shall be stayed pending further order of the court.

BY THE COURT:

/s/ D. Michael Fisher
Circuit Judge

Dated: April 2, 2013

CJG/cc: Haddrick Byrd
Raymond W. Dorian, Esq.
Richard H. Frankel, Esq.
Alexandra Scanlon
Rebecca Trela