

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 05-3380

UNITED STATES OF AMERICA

v.

JOSE RAMON RIVAS,
also known as RAY,

Jose Ramon Rivas,
Appellant

PETITION FOR PANEL REHEARING

Present: SLOVITER, RENDELL, and CUDAHY, * Circuit Judges

The petition for panel rehearing filed by Appellant, Jose Ramon Rivas, in the above-entitled case having been submitted to the judges who participated in the decision of this court is granted with respect to Appellant's challenge to the statement contained in footnote 1 of the opinion. The opinion filed on March 12, 2007 is hereby vacated and a revised opinion will be issued. The petition is denied in all other respects. Insofar as the panel has vacated the original opinion, no action will be taken on the suggestion for rehearing en banc.

By the Court,

/s/ Dolores K. Sloviter
Circuit Judge

Dated: June 8, 2007
CLC\cc: Peter Goldberger, Esq.
Anne W. Chain, Esq.

Louis T. Savino Jr., Esq.
Andrea B. Grace, Esq.

* Hon. Richard D. Cudahy, United States Senior Judge for the United States Court of Appeals for the Seventh Circuit, sitting by designation.