

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 05-3668

LEROY IVERSON,

Appellant,

v.

CITY OF PHILADELPHIA.

On Appeal From the United States District Court
for the Eastern District of Pennsylvania
(No. 04-cv-02275)
District Judge: Honorable John R. Padova

Submitted Under Third Circuit LAR 34.1(a)
December 14, 2006

Before: FISHER, CHAGARES and GREENBERG, *Circuit Judges*.

(Opinion Filed on January 12, 2007)

ORDER AMENDING OPINION

CHAGARES, Circuit Judge

IT IS HEREBY ORDERED that the opinion in the above case, filed January 12, 2007, be amended as follows:

On page 6, third line, delete “Only” and begin sentence with “Iverson.”

On page 6, fifth line through eighth line, delete “the City did not accede to our request for further briefing, perhaps intending to rest on its previous statement that it believed dismissing its counterclaim without prejudice vests this Court with appellate jurisdiction. (Br. in Opp. at 3 n.1.).” Replace deleted text with “the City timely filed its response.”

By the Court,

/s/ Michael A. Chagares
Circuit Judge

Dated: January 31, 2007