

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 08-4101

UNITED STATES OF AMERICA

vs.

GEORGE BLOOD,
Appellant

Before: SCIRICA, Chief Judge, WEIS and GARTH, Circuit Judges

SUR PETITION FOR PANEL REHEARING

The petition for panel rehearing is **GRANTED**. The Opinion filed on
March 20, 2009 is **WITHDRAWN**.

The Court having concluded that the defendant's motion dated May 8, 2008
was timely filed under Rule 12(b)(3)(B), the case is remanded to the District Court for a
ruling on the merits of the motion.

BY THE COURT:

S/JOSEPH F. WEIS JR.
United States Circuit Judge

DATED: April 28, 2009
MB/cc: George Blood
Lesley F. Wolf, Esq.