

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 16-4450

DARREN M. NANCE,

Appellant

v.

CITY OF NEWARK; NEWARK POLICE DEPARTMENT;
THE MAYOR, SHARPE JAMES; JOSEPH J. SANTIAGO;
THOMAS C. O'REILLY; ROBERT K. RANKIN, JR.;
MITCHELL MCQUIRE; MICHAEL O'CONNOR;
JAMES DAVID O'CONNOR; WILLIE E. UNDERWOOD;
IRVING B. GULLER; JOSE OMAR COLON;
CHADRAKANT PATEL; JAMES E. TUNIS;
ISABELLA CASTELLANOS; VINCENT BONGERMINO;
JOHN DOES (1-10); RICHARD PARABOSCHI;
NICHOLAS MARESCA; ANTHONY CAMPOS; JOHN ZAKOWSKI

Appeal from the United States District Court
for the District of New Jersey
(D.C. Civil Action No. 2-97-cv-06184)
District Judge: Honorable Jose L. Linares

Before: AMBRO, KRAUSE, Circuit Judges and CONTI♦, Chief District Judge

SUR PETITION FOR PANEL REHEARING

The petition for panel rehearing filed by Appellant in the above entitled case
having been submitted to the judges who participated in the decision of this Court.

♦ Honorable Chief Judge Joy Flowers Conti, District Court Judge for the Western District
of Pennsylvania, sitting by designation.

Appellant's Reply was considered by the Court. It is hereby ORDERED that the petition for rehearing by the panel is GRANTED, in part and the Opinion and Judgment entered October 27, 2017 are vacated. A new Opinion and Judgment will be filed forthwith.

By the Court,

s/ Thomas L. Ambro, Circuit Judge

Dated: February 1, 2018
SLC/cc: Darren M. Nance
John S. Favate, Esq.
Samuel J. Halpern, Esq.