

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 18-1014

IN RE: FREDERICK H. BANKS,
Petitioner

On a Petition for Writ of Mandamus from the
United States District Court for the Western District of Pennsylvania
(Related to W.D. Pa. Crim. No. 2-15-cr-00168-001)

SUR PETITION FOR PANEL REHEARING

Present: MCKEE, VANASKIE, and SCIRICA, Circuit Judges

The petition for rehearing filed by the petitioner in the above-entitled case having been submitted to the judges who participated in the decision of this Court, it is hereby ORDERED that the petition for rehearing by the panel is granted. The prior opinion and judgment are vacated. Further action on this petition for a writ of mandamus is stayed pending disposition of appeal No. 16-3794. The Clerk will resubmit this petition for a writ of mandamus to a panel after the Court's mandate has issued in No. 16-3794.

BY THE COURT,

s/ Thomas I. Vanaskie
Circuit Judge

Dated: September 24, 2018
CLW/cc: Mr. Frederick H. Banks
Michael L. Ivory, Esq.