

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Nos. 19-3679 & 19-3774

UNITED STATES OF AMERICA

v.

STAMATIOS KOUSISIS,
a/k/a Tom Kousisis, Appellant in No. 19-3679

UNITED STATES OF AMERICA

v.

ALPHA PAINTING & CONSTRUCTION CO., INC.,
Appellant in No. 19-3774

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
(District Court Nos. 2:18-cr-00130-001 & 2:18-cr-00130-03)
District Judge: The Honorable Wendy Beetlestone

PETITION FOR PANEL REHEARING AND/OR REHEARING EN BANC

Present: CHAGARES, *Chief Judge*, JORDAN, HARDIMAN, SHWARTZ, KRAUSE,
RESTREPO, BIBAS, PORTER, MATEY, PHIPPS, FREEMAN, MONTGOMERY-
REEVES, CHUNG, and McKEE*, Circuit Judges

The petition for rehearing filed by Appellants in the above-entitled cases having
been submitted to the judges who participated in the decision of this Court and to all the

* Judge McKee's vote is limited to panel rehearing only.

other available circuit judges of the circuit in regular active service, and a majority of the judges of the circuit in regular service not having voted for rehearing, the petition for rehearing by the Court en banc is denied.

It is hereby ordered that the petition for rehearing by the panel is granted in part with respect to Alpha Painting and Construction's claim that the Court failed to address all of Alpha's statutory challenges to the forfeiture order. The opinion and judgment entered April 21, 2023 are hereby vacated. The judges who participated in the decision of this Court will issue an amended opinion. Additionally, the District Court's forfeiture order will be addressed in a separate opinion. Judgment will be entered in these matters upon issuance of the opinion on the forfeiture order.

BY THE COURT,

s/ Theodore A. McKee
Circuit Judge

Dated: September 21, 2023