

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 20-2021

CURTIS L. GIBSON,
Appellant

v.

CAPT. CROUCH, JR.; SGT. WISER; CO BRENNAN; CO FROCK

(M.D. Pa.. No. 3-17-cv-00547)

SUR PETITION FOR PANEL REHEARING

Present: CHAGARES, Chief Judge, PHIPPS, and COWEN,* Circuit Judges

The petition for rehearing filed by Appellant 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 opinion and judgment filed March 26, 2021, is vacated. The Clerk is directed to file the amended opinion and judgment contemporaneously with this order.

* The Honorable Robert E. Cowen participated in the disposition of this case before his retirement.

In light of the revised opinion and order, this Court is not taking action on the request for rehearing en banc. The parties may petition for rehearing en banc, if appropriate, within fourteen days of the date of this Order.

BY THE COURT,

s/ *Peter J. Phipps*
Circuit Judge

Date: October 13, 2022

CJG/cc: Curtis L. Gibson
 Joseph G. Fulginiti, Esq.