

# **APPENDIX B**

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 16-1729

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JEROME GIBSON,

Appellant

v.

SECRETARY PENNSYLVANIA DEPARTMENT OF CORRECTIONS;  
SUPERINTENDENT GREENE SCI;  
ATTORNEY GENERAL PENNSYLVANIA;  
DISTRICT ATTORNEY BUCKS COUNTY

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Present: SMITH, Chief Judge, McKEE, AMBRO,  
CHAGARES, JORDAN, HARDIMAN, GREENAWAY, VANASKIE,  
SHWARTZ, KRAUSE, RESTREPO, and BIBAS Circuit Judges,  
and FISHER, Senior Circuit Judge\*

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 and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc, is denied.

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\*Pursuant to Third Circuit I.O.P. 9.5.3., Judge Fisher's vote is limited to panel rehearing.

BY THE COURT,

s/ Michael A. Chagares  
Circuit Judge

Dated: February 12, 2018  
MB/cc: Samuel J.B. Angell, Esq.  
Arianna J. Freeman, Esq.  
Karen A. Diaz, Esq.  
Stephen B. Harris, Esq.  
Karen A. Diaz, Esq.