

EXHIBIT 2

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 17-70025

TEDDRICK BATISTE,

Petitioner - Appellant

v.

**LORIE DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION,**

Respondent - Appellee

**Appeal from the United States District Court
for the Southern District of Texas**

ON PETITION FOR REHEARING AND REHEARING EN BANC

(Opinion 7/6/18, 5 Cir., _____, _____ F.3d _____)

Before DENNIS, SOUTHWICK, and HIGGINSON, Circuit Judges.

PER CURIAM:

- (✓) The Petition for Rehearing is DENIED and no member of this panel nor judge in regular active service on the court having requested that the court be polled on Rehearing En Banc, (FED. R. APP. P. and 5TH CIR. R. 35) the Petition for Rehearing En Banc is also DENIED.
- () The Petition for Rehearing is DENIED and the court having been polled at the request of one of the members of the court and a majority

of the judges who are in regular active service and not disqualified not having voted in favor, (FED. R. APP. P. and 5TH CIR. R. 35) the Petition for Rehearing En Banc is also DENIED.

- () A member of the court in active service having requested a poll on the reconsideration of this cause en banc, and a majority of the judges in active service and not disqualified not having voted in favor, Rehearing En Banc is DENIED.

ENTERED FOR THE COURT:


UNITED STATES CIRCUIT JUDGE

United States Court of Appeals
FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

August 24, 2018

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 17-70025 Teddrick Batiste v. Lorie Davis, Director
USDC No. 4:15-CV-1258

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Monica R. Washington, Deputy Clerk
504-310-7705

Mr. Jefferson David Clendenin
Mr. Kenneth W. McGuire
Ms. Kate Pumarejo