

**FILED**  
United States Court of Appeals  
Tenth Circuit

**UNITED STATES COURT OF APPEALS**

**March 19, 2019**

**FOR THE TENTH CIRCUIT**

**Elisabeth A. Shumaker**  
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellant,

v.

No. 16-4165

ANTHONY WAYNE BETTCHER,

Defendant - Appellee.

**ORDER**

Before **PHILLIPS, McHUGH, and MORITZ**, Circuit Judges.

Appellee's petition for rehearing is denied.

The petition for rehearing en banc was transmitted to all of the judges of the court who are in regular active service. As no member of the panel and no judge in regular active service on the court requested that the court be polled, that petition is also denied.

The motion to file an amicus brief filed by the Kansas Federal Public Defender is granted.

Entered for the Court



ELISABETH A. SHUMAKER, Clerk