

Nos. 18-5703/5705

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED

Sep 16, 2019

DEBORAH S. HUNT, Clerk

18-5703

BRIAN DAVID BRUMBACH,

Petitioner-Appellee,

V.

UNITED STATES OF AMERICA,

Respondent-Appellant,

18-5705

UNITED STATES OF AMERICA.

Plaintiff-Appellant,

Y.

BRIAN DAVID BRUMBACH,

Respondent-Appellee.

ORDER

BEFORE: SILER, BATCHELDER, and DONALD, Circuit Judges.

The court received a petition for rehearing en banc. The original panel has reviewed the petition for rehearing and concludes that the issues raised in the petition were fully considered upon the original submission and decision. The petition then was circulated to the full court. Less than a majority of the judges voted in favor of rehearing en banc

Therefore, the petition is denied.

ENTERED BY ORDER OF THE COURT

Wm L. Hunt

Deborah S. Hunt, Clerk

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt
Clerk

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Filed: September 16, 2019

Mr. Michael C. Holley
Federal Public Defender's Office
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Suite 200
Nashville, TN 37203

Re: Case No. 18-5703/18-5705, *Brian Brumbach v. USA*
Originating Case No.: 3:16-cv-00776; 3:09-cr-00227-1

Dear Mr. Holley,

The Court issued the enclosed Order today in these cases.

Sincerely yours,

s/Beverly L. Harris
En Banc Coordinator
Direct Dial No. 513-564-7077

cc: Mr. Kirk L. Davies
Mr. Luke A. McLaurin
Mr. Cecil Woods VanDevender

Enclosure