

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 19-1037

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UNITED STATES OF AMERICA

v.

TYREE EATMON, a/k/a Ree

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(D.C. No. 1-14-cr-00070-006)

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Present: SMITH, *Chief Judge*, McKEE, AMBRO, CHAGARES, JORDAN,  
HARDIMAN, GREENAWAY, JR., SHWARTZ, KRAUSE, RESTREPO, BIBAS,  
PORTER, MATEY, PHIPPS, ROTH and FISHER<sup>1</sup>, *Circuit Judges*.

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SUR PETITION FOR REHEARING  
WITH SUGGESTION FOR REHEARING EN BANC

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The petition for rehearing filed by Appellant, Tyree Eatmon 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.

BY THE COURT:

s/ D. Michael Fisher  
Circuit Judge

Dated: November 16, 2020

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<sup>1</sup> Judges Roth and Fisher's votes are limited to panel rehearing only.

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**EXHIBIT A**