

APPENDIX A

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 21-1918

LAWRENCE GAINES

v.

SUPERINTENDENT BENNER TOWNSHIP SCI; DISTRICT ATTORNEY
NORTHAMPTON COUNTY; ATTORNEY GENERAL PENNSYLVANIA,
Appellants

District Court no. 5-20-cv-00361

SUR PETITION FOR REHEARING

Present: CHAGARES, Chief Judge, McKEE, AMBRO, JORDAN, HARDIMAN,
GREENAWAY, JR., SHWARTZ, KRAUSE, RESTREPO, BIBAS, PORTER,
MATEY, PHIPPS, and SMITH*, Circuit Judges

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

* The vote of the Honorable D. Brooks Smith, Senior Judge of the United States Court of Appeals for the Third Circuit, is limited to panel rehearing.

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. Brooks Smith
Circuit Judge

Dated: June 8, 2022
CLW/cc: Cheryl J. Strum, Esq.
Katharine R. Kurnas, Esq.