

No. 21-3745

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Feb 13, 2023
DEBORAH S. HUNT, Clerk

CARL LINDSEY,)	
)	
Petitioner-Appellant,)	
)	
v.)	<u>ORDER</u>
)	
CHARLOTTE JENKINS, WARDEN,)	
)	
Respondent-Appellee.)	

Before: GIBBONS, GRIFFIN, and LARSEN, Circuit Judges.

Carl Lindsey petitions for rehearing en banc of this court’s order entered on September 8, 2022, denying his application for a certificate of appealability. The petition was initially referred to this panel of three judges. After review of the petition, this panel issued an order announcing its conclusion that the original application was properly denied. The petition was then circulated to all active members of the court,* none of whom requested a vote on the suggestion for an en banc rehearing. Pursuant to established court procedures, the panel now denies the petition for rehearing en banc.

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk

*Judge Murphy recused himself from participation in this ruling.

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

Deborah S. Hunt
Clerk

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Filed: February 13, 2023

Ms. Julie Roberts
Federal Public Defender's Office
Capital Habeas Unit
10 W. Broad Street
Suite 1020
Columbus, OH 43215

Re: Case No. 21-3745, *Carl Lindsey v. Charlotte Jenkins*
Originating Case No.: 1:03-cv-00702

Dear Ms. Roberts,

The Court issued the enclosed Order today in this case.

Sincerely yours,

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

cc: Mr. Jordan S. Berman
Mr. Charles L. Wille
Ms. Carol A. Wright

Enclosure