

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 14-10228

United States Court of Appeals
Fifth Circuit

FILED

February 8, 2019

Lyle W. Cayce
Clerk

RANDY COLE; KAREN COLE; RYAN COLE,

Plaintiffs - Appellees

v.

CARL CARSON,

Defendant - Appellant

cons. w/No. 15-10045

RANDY COLE; KAREN COLE; RYAN COLE,

Plaintiffs - Appellees

v.

MICHAEL HUNTER; MARTIN CASSIDY,

Defendants - Appellants

Appeals from the United States District Court
for the Northern District of Texas

ON PETITION FOR REHEARING EN BANC

(Opinion September 25, 2015, 5 Cir., 2015, 802 F.3d 752)
(Opinion on Remand from U.S. Sup.Ct. September 25, 2018,
5 Cir., 2018, 905 F.3d 334)

Before STEWART, Chief Judge, JONES, SMITH, DENNIS, OWEN, ELROD, SOUTHWICK, HAYNES, GRAVES, HIGGINSON, COSTA, WILLETT, HO, DUNCAN, ENGELHARDT, and OLDHAM, Circuit Judges.

BY THE COURT:

A member of the court having requested a poll on the petition for rehearing en banc, and a majority of the circuit judges in regular active service and not disqualified having voted in favor,

IT IS ORDERED that this cause shall be reheard by the court en banc with oral argument on a date hereafter to be fixed. The Clerk will specify a briefing schedule for the filing of supplemental briefs.