

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 06-3070

September Term 2011

04cr00355-01
04cr00355-02
04cr00355-03
04cr00355-05
04cr00355-06
04cr00355-08

Filed On: October 12, 2011

United States of America,

Appellee

v.

Bryan Burwell, also known as Bush,

Appellant

Consolidated with 06-3071, 06-3073, 06-3077,
06-3083, 06-3084

BEFORE: Sentelle, Chief Judge, and Ginsburg, Henderson, Rogers, Tatel,
Garland, Brown, Griffith, and Kavanaugh, Circuit Judges

ORDER

Upon consideration of the petition of appellant Bryan Burwell for rehearing en banc and the brief of amicus curiae Federal Public Defender, the response thereto, and the vote in favor of the petition by a majority of the judges eligible to participate, it is

ORDERED that the petition be granted. Case No. 06-3070 will be reheard by the court sitting en banc. It is

FURTHER ORDERED that the portion of the court's April 29, 2011 judgment affirming the conviction and sentence of appellant Burwell be vacated. It is

FURTHER ORDERED that the oral argument before the en banc court be heard at 9:30 a.m. on Monday, January 30, 2012. It is

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FURTHER ORDERED that, in addition to filing briefs electronically, the parties file 20 paper copies each of the briefs and the appendix, in accordance with the following schedule:

Brief for Appellant	November 14, 2011
Appendix	November 14, 2011
Amicus Curiae Brief in Support of Appellant	November 14, 2011
Brief for Appellee	December 14, 2011
Reply Brief for Appellant	December 30, 2011

The briefs are to be limited to the question of mens rea regarding 18 U.S.C. § 924(c).

Because the briefing schedule is keyed to the date of argument, the court will grant requests for extension of time limits only for extraordinarily compelling reasons. The briefs and appendix must contain the date that the case is scheduled for oral argument at the top of the cover. See D.C. Cir. Rule 28(a)(8).

A separate order will issue regarding allocation of oral argument time.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Jennifer M. Clark
Deputy Clerk