

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-5322

September Term, 2019

1:19-mc-00145-TSC

Filed On: May 15, 2020

In re: Federal Bureau of Prisons' Execution
Protocol Cases,

James H. Roane, Jr., et al.,

Appellees

v.

William P. Barr, Attorney General, et al.,

Appellants

BEFORE: Srinivasan*, Chief Judge; Henderson, Rogers, Tatel**, Garland,
Griffith, Millett, Pillard, Wilkins, Katsas, and Rao, Circuit Judges

ORDER

Upon consideration of appellees' petition for rehearing en banc, the response thereto, and the absence of a request by any member of the court for a vote, it is

ORDERED that the petition be denied.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Michael C. McGrail
Deputy Clerk

* Chief Judge Srinivasan did not participate in this matter.

** A statement by Circuit Judge Tatel is attached.

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TATEL, *Circuit Judge*: Even though I believe this case is en banc worthy, I did not call for a vote because, given that the Supreme Court directed this court to proceed “with appropriate dispatch,” Barr v. Roane, 140 S. Ct. 353 (2019), I agree that “[our] review should be concluded without delay,” Opp’n to Pet. for Reh’g En Banc 15.