

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

\_\_\_\_\_  
No. 08-51185  
\_\_\_\_\_

United States Court of Appeals  
Fifth Circuit

**FILED**  
July 25, 2011

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

ANTHONY JAMES KEBODEAUX, also known as Anthony Kebodeaux,  
Defendant - Appellant

\_\_\_\_\_  
Appeal from the United States District Court for the  
Western District of Texas, El Paso  
\_\_\_\_\_

(Opinion February 15, 2011, 5 Cir., 2011, \_\_\_\_F.3d\_\_\_\_)  
(Revised Opinion February 18, 2011, 5 Cir., 2011, \_\_\_\_F.3d\_\_\_\_,  
withdrawn July 12, 2011)

(Opinion July 12, 2011, 5 Cir., 2011, \_\_\_\_F.3d\_\_\_\_)  
(Revised Opinion July 14, 2011, 5 Cir., 2011, \_\_\_\_F.3d\_\_\_\_)

(July 25, 2011)

Before JONES, Chief Judge, KING, JOLLY, DAVIS, SMITH, GARZA,  
BENAVIDES, STEWART, DENNIS, CLEMENT, PRADO, OWEN, ELROD,  
SOUTHWICK, HAYNES and GRAVES, Circuit Judges.

PER CURIAM:

A majority of the circuit judges in regular active service and not  
disqualified having voted in favor, on the Court's own motion, to rehear this  
case en banc,

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.