

PUBLISHED

FILED: November 29, 2000

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 99-1650  
(CA-96-27-L)

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INEZ SALES; DEBRA M. MILLER,

Plaintiffs - Appellees,

versus

ALPHONSO L. GRANT, in his individual capacity  
and in his official capacity as a member of  
the City of Lynchburg Electoral Board; JOHN  
E. MASON, JR., in his individual capacity,

Defendants - Appellants,

and

DAVID T. PETTY, JR., in his official capacity  
as member of the City of Lynchburg Electoral  
Board; CITY OF LYNCHBURG ELECTORAL BOARD;  
CAROL SPENCER READ; ARELIA LANGHORNE, in her  
official capacity as a member of the City of  
Lynchburg Electoral Board; JOHN COBB, in his  
official capacity as a member of the City of  
Lynchburg Electoral Board; ANNE MARIE  
MIDDLESWORTH, in her official capacity as  
general registrar of the City of Lynchburg,

Defendants.

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O R D E R

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Appellants filed on August 30, 2000 a petition for rehearing  
and petition for rehearing en banc. On September 25, 2000, the  
appellees filed a memorandum in opposition to the petition for

rehearing.

Judge Widener voted to grant panel rehearing. Judges Luttig and Williams voted to deny.

A member of the Court requested a poll on the petition for rehearing en banc. The poll failed to produce a majority of the judges in active service in favor of rehearing en banc. Judges Widener, Niemeyer, and King voted to rehear the case en banc, and Judges Wilkinson, Wilkins, Luttig, Williams, Michael, Motz and Traxler voted against rehearing en banc.

The Court denies the petition for rehearing and rehearing en banc.

Entered at the direction of Judge Luttig for the Court.

For the Court

/s/ Patricia S. Connor

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Clerk