

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 21-10550

Non-Argument Calendar

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JEREMY JOHN WELLS,

Plaintiff-Appellant,

*versus*

WARDEN,  
CLIFFORD BROWN,  
Unit Manager,  
FNU FLUKER,

Defendants-Appellees.

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Opinion of the Court

21-10550

Appeal from the United States District Court  
for the Southern District of Georgia  
D.C. Docket No. 1:20-cv-00097-JRH-BKE

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Before WILLIAM PRYOR, Chief Judge, WILSON, JORDAN,  
ROSENBAUM, JILL PRYOR, NEWSOM, BRANCH, GRANT, LUCK, LAGOA,  
and BRASHER, Circuit Judges.

BY THE COURT:

A petition for rehearing having been filed and a member of this Court in active service having requested a poll on whether this appeal should be reheard by the Court sitting en banc, and a majority of the judges in active service on this Court having voted in favor of granting rehearing en banc, IT IS ORDERED that this appeal will be reheard en banc. The panel's opinion is VACATED.

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

David J. Smith  
Clerk of Court

For rules and forms visit  
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April 15, 2022

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 21-10550-GG  
Case Style: Jeremy Wells v. Warden, et al  
District Court Docket No: 1:20-cv-00097-JRH-BKE

The enclosed order has been entered on petition(s) for rehearing.

See Rule 41, Federal Rules of Appellate Procedure, and Eleventh Circuit Rule 41-1 for information regarding issuance and stay of mandate.

Under the Eleventh Circuit Rule 35, the effect of granting rehearing en banc is to vacate the previous opinion and judgment of this court and to stay the mandate.

You will be notified by subsequent correspondence of the schedule for filing en banc briefs, the issue(s) which the court wishes the parties to focus on in their briefs, and the page limitations on them. We will communicate with you at a later time regarding report time and time limitations on oral argument should this case be designated for oral argument.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Joseph Caruso, GG  
Phone #: (404) 335-6177

REHG-1 Ltr Order Petition Rehearing