

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 17-10792

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D.C. Docket No. 4:13-cv-00549-MW-GRJ

CONRAAD L. HOEVER,

Plaintiff – Appellee-Cross Appellant,

versus

C. CARRAWAY,  
Correctional Officer, et al.,

Defendants,

R. MARKS,  
Correctional Officer,  
C. PAUL,  
Correctional Officer Sergeant,

Defendants - Appellants - Cross Appellees.

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Appeal from the United States District Court  
for the Northern District of Florida

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

A petition for rehearing having been filed and a member of this Court in active service having requested a poll on whether this case should be reheard en banc, and a majority of the judges of this Court in active service who are not disqualified having voted in favor of granting rehearing en banc, IT IS ORDERED that this case 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

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October 16, 2020

**MEMORANDUM TO COUNSEL OR PARTIES**

Appeal Number: 17-10792-GG  
Case Style: Conraad Hoever v. R. Marks, et al  
District Court Docket No: 4:13-cv-00549-MW-GRJ

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

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