

**District of Columbia
Court of Appeals**

No. 19-CF-1015

DERRICK WATSON,

Appellant,



v.

CF3-12378-17

UNITED STATES,

Appellee.

BEFORE: Blackburne-Rigsby,* Chief Judge; Glickman, Beckwith, Easterly, McLeese, Deahl, Howard, and AliKhan, Associate Judges; and Thompson,* and Fisher,* Senior Judges.

ORDER

On consideration of appellant's petition for rehearing or rehearing en banc, and appellee's response to appellant's petition for rehearing or rehearing en banc; and it appearing that the majority of the judges of this court has voted to grant the petition for rehearing en banc, it is

ORDERED by the unanimous merits division* that appellant's petition for rehearing is denied. It is

FURTHER ORDERED that appellant's petition for rehearing en banc is granted and that the opinion and judgment of January 27, 2022, are hereby vacated. It is

FURTHER ORDERED that the Clerk shall schedule this matter for argument before the court sitting en banc as soon as the calendar permits. It is

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FURTHER ORDERED that appellant shall file a brief within 30 days from the date of this order; appellee shall file a brief within 30 days after the filing of appellant's opening brief. Any responsive brief shall be filed within 21 days thereafter. Any amicus brief shall be filed within 7 days of the opening brief of the party it supports. These new briefs shall be specifically designed for consideration by and addressed to the en banc court and shall supersede all briefs previously filed in this appeal.

PER CURIAM

Copies emailed to:

Honorable Craig Iscoe

Director, Criminal Division

Copies e-served to:

Samia Fam, Esquire
Public Defender Service

Chrisellen R. Kolb, Esquire
Assistant United States Attorney

Christopher Kemmitt, Esquire