

**District of Columbia
Court of Appeals**

No. 19-CF-0687

BRIAN E. MOORE,

Appellant,

v.

2018-CF3-011411

UNITED STATES,

Appellee.

BEFORE: Blackburne-Rigsby, Chief Judge, and Beckwith, Easterly,
McLeese, Deahl, Howard, AliKhan, and Shanker, Associate Judges.

ORDER

On consideration of appellee's petition for rehearing or rehearing en banc, amicus curiae's brief in support of appellee's petition, and appellant's opposition to appellee'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 that appellee's petition for rehearing en banc is granted and that the opinion and judgment of November 17, 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. Each side including any amici will have 45 minutes of argument time. It is

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 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



No. 19-CF-687

Copies emailed to:

Honorable Milton C. Lee

Director, Criminal Division

Copies e-served to:

Sean R. Day, Esquire

Chrisellen R. Kolb, Esquire
Assistant United States Attorney

Caroline Van Zile, Esquire
Solicitor General – DC

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