

District of Columbia  
Court of Appeals



No. 19-CF-0143

D.W.,

Appellant,

v.

2017-CF2-014804

UNITED STATES,

Appellee.

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

**ORDER**

A majority of the judges in regular active service have voted sua sponte to hear this appeal en banc. D.C. App. R. 35(a). It is therefore

ORDERED that the division's opinions and judgment in this case are hereby vacated. No further briefing is directed, and instead the en banc court will consider this case based on the already-filed briefs, including the parties' supplemental briefs addressing this Court's recent opinion in *Mayo v. United States*, 315 A.3d 606 (D.C. 2024) (en banc). See D.C. Ct. App. IOP XI(K) (noting this court "will indicate whether it wishes further briefing" upon granting en banc review). The en banc court will limit its consideration to one question: whether the police acted lawfully when they initially seized D.W., i.e., whether that investigative stop was supported by reasonable articulable suspicion. The case will be scheduled for oral argument before the en banc court as soon as the calendar permits.

**PER CURIAM**

Copies emailed to:

Honorable Robert A. Salerno

Director, Criminal Division

**No. 19-CF-0143**

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