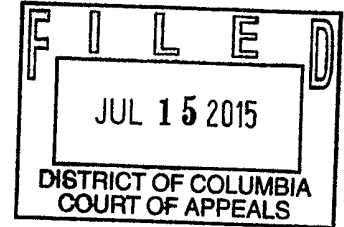


District of Columbia
Court of Appeals



No. 12-CM-523

LEE CARRELL,

Appellant,

DVM134-12

v.

UNITED STATES,

Appellee.

BEFORE: Washington, Chief Judge; Glickman, Fisher, Blackburne-Rigsby, Thompson, Beckwith, and Easterly, Associate Judges.

ORDER

On consideration of appellant's petition for rehearing *en banc*, *amicus curiae* Public Defender Service's memorandum in support of appellant's petition for rehearing *en banc*, and appellee's opposition; 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 appellant's petition for rehearing *en banc* is granted and the opinion and judgment of November 21, 2013, are hereby vacated. It is

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

FURTHER ORDERED that the parties shall file new briefs as follows the appellant and *amicus curiae* Public Defender Service's briefs shall be filed on or before August 31, 2015, and appellee's brief shall be filed within 30 days thereafter. Appellant may file a reply brief within 21 days after appellee's brief is filed. Each party and *amicus* shall file ten copies of its briefs. While not otherwise limited, the parties and *amicus* are directed to address the impact, if any, of the Supreme Court's recent decision in *Elonis v. United States*, 135 S. Ct. 2001 (June 1, 2015). 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

Associate Judge McLeese did not participate in this case.

No. 12-CM-523

Copies to:

Honorable Heidi Pasichow

Director, Criminal Division

Fletcher P. Thompson, Esquire
839 Robin Hood Hill
Sherwood Forest, MD 21405

James W. Klein, Esquire
Public Defender Service

Elizabeth Trosman, Esquire
Assistant United States Attorney

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