

RECOMMENDED FOR PUBLICATION
Pursuant to Sixth Circuit I.O.P. 32.1(b)

File Name: 25a0122p.06

UNITED STATES COURT OF APPEALS

FOR THE SIXTH CIRCUIT

LOUIS CHANDLER,

Petitioner-Appellant,

v.

MIKE BROWN, Warden,

Respondent-Appellee.

No. 23-1270

On Petition for Rehearing En Banc

United States District Court for the Western District of Michigan at Marquette.

No. 2:19-cv-00263—Paul Lewis Maloney, District Judge.

Decided and Filed: May 9, 2025

Before: SUTTON, Chief Judge; MOORE, CLAY, GRIFFIN, KETHLEDGE, WHITE,
STRANCH, THAPAR, BUSH, LARSEN, NALBANDIAN, READLER, MURPHY,
DAVIS, MATHIS, BLOOMEKATZ, and RITZ, Circuit Judges.*

COUNSEL

ON PETITION FOR REHEARING EN BANC: Ann M. Sherman, Jared D. Schultz, OFFICE OF THE MICHIGAN ATTORNEY GENERAL, Lansing, Michigan, for Appellee. **ON RESPONSE:** Jessica Zimbelman, STATE APPELLATE DEFENDER OFFICE, Lansing, Michigan, Matthew A. Monahan, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Detroit, Michigan, for Appellant.

*Judge White was not eligible to participate in the vote on whether to grant the petition for rehearing en banc, *see* 6 Cir. I.O.P. 40(f), but was eligible to participate in deliberations after the Court granted en banc review, *see* 6 Cir. I.O.P. 40(g).

ORDER

A majority of the Judges of this Court in regular active service has voted for rehearing en banc of this case. Sixth Circuit Rule 40(d) provides as follows:

A decision to grant rehearing en banc vacates the previous opinion and judgment of the court, stays the mandate, and restores the case on the docket as a pending appeal.

Separately, a majority of the en banc Court has voted to return the case to the original panel for entry of an amended opinion.

ACCORDINGLY, it is ORDERED that the previous decision and judgment of this Court are vacated, the mandate is stayed, and this case is restored to the docket as a pending appeal.

It is further ORDERED that the case be referred to the original panel for entry of an amended opinion that will issue forthwith.

ENTERED BY ORDER OF THE COURT



Kelly L. Stephens, Clerk