

ALD-113

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 10-4347

MICHAEL RAY AQUINO,
Appellant

v.

JAMES T. PLOUSIS, U.S. Marshal, District of New Jersey;
OSCAR AVILES, Director, Hudson County Correctional Center

On Appeal from the United States District Court
for the District of New Jersey
(D.C. Civil No. 10-cv-01214)
District Judge: Honorable Stanley R. Chesler

Present: McKEE, *Chief Judge*, SLOVITER, SCIRICA, RENDELL,
BARRY, AMBRO, FUENTES, SMITH, FISHER,
CHAGARES, JORDAN, HARDIMAN, GREENAWAY, JR.,
and VANASKIE, *Circuit Judges*.

SUR PETITION FOR REHEARING
WITH SUGGESTION FOR REHEARING EN BANC

The petition for rehearing filed by Appellant having been submitted to all judges who participated in the decision of this court, and to all the other available circuit judges in active service, and a majority of the judges who concurred in the decision not having asked for rehearing, and a majority of the circuit judges of the circuit in regular active service not having voted for rehearing by the court en banc, the petition for rehearing is hereby DENIED.

BY THE COURT:

/s/ Thomas M. Hardiman
Circuit Judge

Dated: April 25, 2011
tmk/cc: Michael Ray Aquino
Mark E. Coyne, Esq.
Steven G. Sanders, Esq.