

In the
United States Court of Appeals
For the Seventh Circuit

No. 20-1891

ALFRED BOURGEOIS,

Petitioner-Appellee,

v.

T.J. WATSON, Warden, and UNITED STATES OF AMERICA,

Respondents-Appellants.

Appeal from the United States District Court for the
Southern District of Indiana, Terre Haute Division.
No. 2:19-cv-00392-JMS-DLP — **Jane Magnus-Stinson**, *Chief Judge*.

On Petition for Rehearing and Rehearing En Banc

December 1, 2020

Before SYKES, *Chief Judge*, EASTERBROOK, KANNE, ROVNER,
WOOD, HAMILTON, BRENNAN, SCUDDER and ST. EVE, *Circuit
Judges*.

PER CURIAM. On consideration of petitioner-appellee's pe-
tition for panel rehearing or rehearing en banc, filed on

October 13, 2020, the judges on the original panel have voted to deny rehearing. A judge in regular active service requested a vote on the petition for rehearing en banc. A majority of judges in regular active service voted to deny the petition for rehearing en banc.

Circuit Judge Wood dissents from the denial of rehearing en banc, on the ground that in her view the petitioner is entitled to a hearing on his claim that his execution will violate the Federal Death Penalty Act, 18 U.S.C. § 3596(c), with whom Circuit Judge Rovner joins.

Accordingly, the petition for panel rehearing or rehearing en banc filed by petitioner-appellee is **DENIED**. Pursuant to the panel's October 6, 2020 opinion, the mandate shall now issue immediately.