

In the
United States Court of Appeals
For the Seventh Circuit

No. 11-1245

BERNARD HAWKINS,

Petitioner-Appellant,

v.

UNITED STATES OF AMERICA,

Respondent-Appellee.

Appeal from the United States District Court
for the Northern District of Indiana, Hammond Division.
No. 2:10-cv-00016-JTM—**James T. Moody**, *Judge*.

On Petition for Rehearing En Banc.

DECIDED JULY 31, 2013

Before EASTERBROOK, *Chief Judge*, and POSNER, KANNE, ROVNER, WOOD, WILLIAMS, SYKES, TINDER, and HAMILTON, *Circuit Judges*.*

POSNER, *Circuit Judge*. The petition to rehear this case (decided February 7, 2013, in an opinion reported at

* Circuit Judge Flaum took no part in the consideration or decision of this case.

706 F.3d 820) en banc is denied. Judges Rovner, Wood, Williams, and Hamilton voted to grant rehearing en banc.

See also the supplemental panel opinion, issued today, which denies panel rehearing, together with a dissenting opinion by Judge Rovner.

ROVNER, *Circuit Judge*, with whom WOOD, WILLIAMS, and HAMILTON, *Circuit Judges*, join, dissenting from the denial of rehearing en banc. I dissent from the denial of rehearing en banc for the same reasons set forth in my dissent from the denial of rehearing by the panel. I hereby incorporate by reference that dissent as a statement of the reasons why I believe the court should rehear this case en banc.