

United States Court of Appeals

**For the Seventh Circuit
Chicago, Illinois 60604**

June 11, 2003

Before

Hon. JOEL M. FLAUM, *Chief Judge*

Hon. JOHN L. COFFEY, *Circuit Judge*

Hon. TERENCE T. EVANS, *Circuit Judge*

No. 02-3006

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

DANIEL P. BOOS,
Defendant-Appellant.

Appeal from the United States
District Court for the
Western District of Wisconsin.

No. 01-CR-109-C

Barbara B. Crabb, *Chief Judge.*

O R D E R

On May 29, 2003, the defendant-appellant filed a petition for rehearing and petition for rehearing en banc. All the judges on the original panel have voted to deny a rehearing, and none of the judges in active service have requested a vote on the petition for rehearing en banc. The petition for rehearing is therefore DENIED.

Although the petition for rehearing is denied, the May 15, 2003, opinion is amended in two respects. On page 1, the last sentence is amended to read "Melby was missing 6 days when his arm was found." On page 5, the second full paragraph is amended to read:

Boos argues that the evidence does not support a finding of guilt even under a preponderance of the evidence standard. Investigators found no blood or bullet fragments in the basement of the Iron Wings clubhouse, where police suspect the murder took place (although at the time of the search they did not think that the murder had taken place at the clubhouse, and, as a result, they were not looking for hard-to-find pieces of physical evidence such as drops of blood or bullet fragments).