

# United States Court of Appeals

For the Seventh Circuit  
Chicago, Illinois 60604

August 7, 2009

## Before

RICHARD D. CUDAHY, *Circuit Judge*

DANIEL A. MANION, *Circuit Judge*

ANN CLAIRE WILLIAMS, *Circuit Judge*

No. 08-2354

JAY STARKWEATHER,  
*Petitioner-Appellant,*

*v.*

JUDY P. SMITH, WARDEN  
*Respondent-Appellee.*

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

No. 07 C 513

William C. Griesbach,  
*Judge.*

## ORDER

The appellant's petition for rehearing is **DENIED**. It is ordered that the following corrections be made in the opinion of the court dated July 23, 2009:

Slip opinion page 2: the last sentence of the second full paragraph is amended to read "... from the direction of Demery's trailer."

Slip opinion pages 11-12: the paragraph starting on page 11 and beginning "An additional word about prejudice ...", together with the appended footnote 3, is omitted.