

United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

May 13, 2015

Before

RICHARD D. CUDAHY, *Circuit Judge*

MICHAEL S. KANNE, *Circuit Judge*

ANN CLAIRE WILLIAMS, *Circuit Judge*

No. 13-3296

LEE BLANKENSHIP,
Plaintiff-Appellant,

Appeal from the United States District
Court for the Southern District of Illinois.

v.

No. 10-542-GPM

KIMBERLY BIRCH,
Defendant-Appellee.

G. Patrick Murphy,
Judge.

ORDER

Upon consideration of the Petition for Rehearing filed by Plaintiff-Appellant on March 5, 2015, this court's order of November 5, 2014 is amended as follows. In all other respects, all members of the original panel have voted to deny the petition for rehearing. No active judge called for a vote on the petition for rehearing en banc. Accordingly, in all other respects, the petition for rehearing is **DENIED**.

- 1) In the third paragraph: Delete the words "Two months" in the fourth sentence of the third paragraph of the order, and begin the sentence with "After." In the

final sentence, delete the phrase "he reported no pain, and" and begin the sentence with "Dr. Birch."

- 2) In the penultimate paragraph delete the two sentences beginning with the phrase "to the contrary, his medical records are devoid of any complaints about elbow pain" and ending with the phrase "surgery is not a cure."