

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED

MAY 07 2007

LEONARD GREEN, Clerk

PHILIP R. WORKMAN,
Petitioner-Appellant,

v.

RICKY BELL, WARDEN,
Respondent-Appellee.

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ORDER

BEFORE: BOGGS, Chief Judge; MARTIN, BATCHELDER, DAUGHTREY, MOORE, COLE, CLAY, GILMAN, ROGERS, SUTTON, COOK, McKEAGUE, and GRIFFIN, Circuit Judges.

The court having received a petition for rehearing, with a suggestion for rehearing en banc of the May 4, 2007 order of the panel denying the petitioner's motion for stay of execution, and less than a majority of non-recused* active judges of the court having favored the suggestion,

It is ORDERED that the petition be and it hereby is DENIED. Accordingly, the court need not consider the motions for stay of execution.

ENTERED BY ORDER OF THE COURT



Leonard Green, Clerk

* Judge Gibbons recused herself in this case.