

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 16-1868

MARC A. STEPHENS;
TYRONE K. STEPHENS,
Appellants

v.

CITY OF ENGLEWOOD;
ENGLEWOOD POLICE DEPARTMENT;
DET. MARC MCDONALD;
DET. DESMOND SINGH;
DET. CLAUDIA CUBILLOS;
DET. SANTIAGO INCLE, JR.;
NATHANIEL KINLAW, Individually and in official capacity;
NINA C. REMSON, Attorney at Law, LLC;
COMET LAW OFFICES LLC

(D.C. No. 2-14-cv-05362)

Present: SMITH, *Chief Judge*, McKEE, AMBRO, CHAGARES,
JORDAN, HARDIMAN, GREENAWAY, JR., VANASKIE,
SHWARTZ, KRAUSE, RESTREPO, SCIRICA and FISHER¹, *Circuit Judges*.

SUR PETITION FOR REHEARING
WITH SUGGESTION FOR REHEARING EN BANC

The petition for rehearing filed by appellants, Mark A. Stephens and Tyrone K. Stephens in the above-entitled case having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in

¹ Judges Scirica and Fisher's vote is limited to panel rehearing only.

regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc, is denied.

BY THE COURT:

s/ D. Michael Fisher _____

Circuit Judge

Dated: October 24, 2017

CJG/cc: Marc A. Stephens
Tyrone K. Stephens
Adam Kenny, Esq.
Marc D. Mory, Esq.
Matthew P. O'Malley, Esq.