

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 07-5092

September Term 2007

05cv01181

Filed On: July 25, 2008

Michigan Gambling Opposition, A Michigan
Non-profit Corporation,

Appellant

v.

Dirk Kempthorne, In his official capacity as
Secretary of the United States Department of
the Interior, et al., et al.,

Appellees

BEFORE: Sentelle,* Chief Judge, and Ginsburg, Henderson, Randolph,
Rogers, Tatel, Garland, Brown,* Griffith,* and Kavanaugh,
Circuit Judges

ORDER

Appellant's petition for rehearing en banc and the response thereto were circulated to the full court, and a vote was requested. Thereafter, a majority of the judges eligible to participate did not vote in favor of the petition. Upon consideration of the foregoing, it is

ORDERED that the petition be denied.

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Michael C. McGrail
Deputy Clerk

* Chief Judge Sentelle, and Circuit Judges Brown and Griffith would grant the petition.