

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 13-2446

JOHN THORPE;
SAC AND FOX NATION OF OKLAHOMA;
WILLIAM THORPE; RICHARD THORPE

v.

BOROUGH OF JIM THORPE; MICHAEL SOFRANKO;
RONALD CONFER; JOHN MCGUIRE; JOSEPH MARZEN;
W. TODD MASON; JEREMY MELBER; JUSTIN YAICH;
JOSEPH KREBS; GREG STRUBINGER; KYLE SHECKLER;
JOANNE KLITSCH

Borough of Jim Thorpe,

Appellant

No. 13-2451

JOHN THORPE; SAC AND FOX NATION OF OKLAHOMA;
WILLIAM THORPE; RICHARD THORPE

v.

BOROUGH OF JIM THORPE; MICHAEL SOFRANKO;
RONALD CONFER; JOHN MCGUIRE; JOSEPH MARZEN;
W. TODD MASON; JEREMY MELBER; JUSTIN YAICH;
JOSEPH KREBS; GREG STRUBINGER; KYLE SHECKLER;
JOANNE KLITSCH

Sac and Fox Nation of Oklahoma, William Thorpe,
Richard Thorpe,

Appellants

(D.C. No. 3-10-cv-01317)

SUR PETITION FOR REHEARING

Present: McKEE, Chief Judge, RENDELL, AMBRO, FUENTES, SMITH, FISHER, CHAGARES, JORDAN, HARDIMAN, GREENAWAY, JR., VANASKIE, SHWARTZ, and KRAUSE, Circuit Judges

The petition for rehearing filed by Appellees/Cross Appellants/Amicus 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 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/ Theodore A. McKee

Chief Circuit Judge

Dated: February 3, 2015
tyw/cc: All counsel of Record