

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 13-5202

September Term, 2014

1:10-cv-01263-BAH

Filed On: August 7, 2015

Matt Sissel,

Appellant

v.

United States Department of Health and
Human Services, et al.,

Appellees

BEFORE: Rogers, Pillard, and Wilkins, Circuit Judges

ORDER

Upon consideration of Appellant's petition for rehearing en banc, the response thereto, and the full court's deliberation during the poll on whether to call for a vote on the petition, the panel considered whether we should "*sua sponte vacate [our] judgment and rehear[] the case.*" *Murphy v. I.R.S.*, 493 F.3d 170, 173 (D.C. Cir. 2007); *cf.* RULES OF THE SUPREME COURT OF THE UNITED STATES, 13.3 (noting practice within the Courts of Appeals to "*sua sponte consider[] rehearing*"). Upon such further careful consideration, the panel reaffirms its opinion in *Sissel v. U.S. Department of Health and Human Services*, 760 F.3d 1 (D.C. Cir. 2014), and, it is

ORDERED that the rehearing be denied.

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Ken Meadows
Deputy Clerk