

March 9, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-30189

In the Matter of: EDWARD KEITH BURGESS

Debtor

EDWARD KEITH BURGESS

Appellant

versus

LUCY G. SIKES; UNITED STATES TRUSTEE

Appellees

- - - - -
Appeal from the United States District Court for the
Western District of Louisiana
- - - - -

ON PETITIONS FOR REHEARING AND REHEARING EN BANC

(Opinion December 6, 2004, 5 Cir., 2004, _____F.3d_____)

BEFORE: JOLLY, HIGGINBOTHAM, DAVIS, JONES, SMITH, WIENER,
BARKSDALE, GARZA, DeMOSS, BENAVIDES, STEWART, DENNIS,
CLEMENT and PRADO, Circuit Judges.¹

BY THE COURT:

A member of the Court in active service having requested
a poll on the petition for rehearing en banc and a majority of
the judges in active service having voted in favor of granting a
rehearing en banc,

IT IS ORDERED that this cause shall be reheard by the

¹Chief Judge King did not participate in this decision.

court en banc with oral argument on a date hereafter to be fixed.
The Clerk will specify a briefing schedule for the filing of
supplemental briefs.