

FILED
United States Court of Appeals
Tenth Circuit
UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

FEB 28 1990

ROBERT L. HOECKER
Clerk

THEODORE C. KNAPP,

Petitioner-Appellant,

v.

HERB MASCHNER; THE ATTORNEY GENERAL
OF THE STATE OF KANSAS,

Respondents-Appellees.

No. 88-1683

ORDER

Before HOLLOWAY, Chief Judge, BARRETT, McKAY, LOGAN, SEYMOUR,
MOORE, ANDERSON, TACHA, BALDOCK, BRORBY, and EBEL, Circuit Judges.

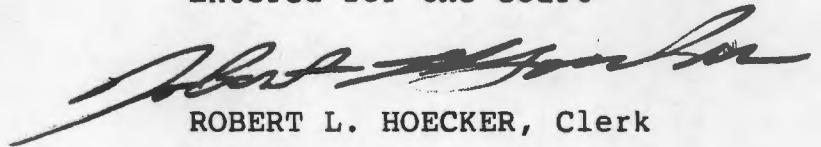
This matter is before the court on appellant's "motion for reconsideration" and "motion for en banc ruling," which the court has treated as a petition for rehearing with suggestion for rehearing en banc.

The materials submitted by appellant have been reviewed by the members of the hearing panel, who conclude that the original disposition was correct. Accordingly, the petition is denied on the merits.

The petition having been denied on the merits by the panel to whom the case was submitted, it was transmitted to all the judges of the court in regular active service in accordance with Rule

35(b) of the Federal Rules of Appellate Procedure. No member of the hearing panel and no judge in regular active service on the court having requested that the court be polled on rehearing en banc, Rule 35, Federal Rules of Appellate Procedure, the suggestion for rehearing en banc is denied.

Entered for the Court

A handwritten signature in black ink, appearing to read "Robert L. Hoecker", is written over the typed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

ROBERT L. HOECKER, Clerk