

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

December 2, 2014

Elisabeth A. Shumaker
Clerk of Court

KAIL MARIE, et al.,

Plaintiffs - Appellees,

v.

No. 14-3246

ROBERT MOSER, M.D., in his official
capacity as Secretary of the Kansas
Department of Health and Environment, et
al.,

Defendants - Appellants.

ORDER

Before **BRISCOE**, Chief Judge, **KELLY**, **LUCERO**, **HARTZ**, **TYMKOVICH**,
HOLMES, **MATHESON**, **BACHARACH**, **PHILLIPS**, **MCHUGH**, and **MORITZ**,
Circuit Judges.¹

Appellants' motion for initial hearing en banc, and Appellees' response in
opposition, were transmitted to all of the judges of the Court who are in regular active
service. No judge in regular active service on the Court requested that the Court be

¹ The Honorable Neil M. Gorsuch did not participate in the consideration of this
request.

polled on the motion for initial hearing en banc. As a result, Appellants' motion for an initial hearing en banc is denied.

Entered for the Court,

ELISABETH A. SHUMAKER, Clerk

A handwritten signature in black ink, appearing to read 'Chris Wolpert', with a long horizontal stroke extending to the right.

by: Chris Wolpert
Chief Deputy Clerk