

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

**FILED**

MAY 08 2007

PHILIP R. WORKMAN,  
Plaintiff-Appellee,

LEONARD GREEN, Clerk

v.

ORDER

PHIL BREDESEN, IN HIS OFFICIAL CAPACITY AS GOVERNOR  
OF THE STATE OF TENNESSEE, ET AL.,

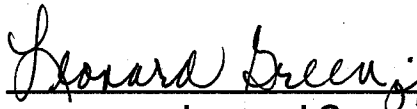
Defendants-Appellants.

**BEFORE: BOGGS, Chief Judge; MARTIN, BATCHELDER, DAUGHTREY, MOORE,  
COLE, CLAY, GILMAN, ROGERS, SUTTON, COOK, McKEAGUE, and  
GRIFFIN, Circuit Judges.**

The court having received a petition for rehearing, with a suggestion for rehearing en banc of the May 7, 2007 decision vacating the temporary restraining order, and less than a majority of non-recused<sup>\*</sup> active judges of the court having favored the suggestion,

It is ORDERED that the petition be and it hereby is DENIED. Accordingly, the court need not consider the motion for stay of execution.

**ENTERED BY ORDER OF THE COURT**



Leonard Green, Clerk

<sup>\*</sup> Judge Gibbons is recused in this case.