

**At a Stated Term of the United States Court of Appeals for the
Second Circuit, held at the Thurgood Marshall United States Courthouse,
40 Foley Square, in the City of New York, on the 11th day of August, Two
Thousand Fifteen,**

PRESENT: Robert A. Katzmann,
Chief Judge
Dennis Jacobs
José A. Cabranes
Rosemary S. Pooler
Reena Raggi
Richard C. Wesley
Peter W. Hall
Debra A. Livingston
Gerard E. Lynch
Denny Chin
Raymond J. Lohier, Jr.
Susan L. Carney
Christopher F. Droney,
Circuit Judges

IT IS HEREBY ORDERED, that the Local Rules of the United States Court of Appeals for the Second Circuit, as amended, are proposed for public comment pursuant to 28 U.S.C. § 2071(b) and Fed. R. App. P. 47(a)(1). The Clerk of Court shall receive comments submitted by September 10, 2015. Anyone wishing to comment should do so, in writing, addressed to:

Catherine O'Hagan Wolfe
Clerk of Court
United States Court of Appeals
40 Foley Square
New York, New York 10007
or

Email: rulescomments@ca2.uscourts.gov

* * * * *

IOP 35.1 En Banc Poll and Decision

* * * * *

- (b) **Judges Eligible to Vote in an En Banc Poll.** Only an active judge may vote to determine whether a case should be heard or reheard en banc and whether an en banc panel, once constituted, should be dissolved. A judge’s status as an active or senior judge for the purpose of an en banc poll is determined on the date of entry of the en banc order.

* * * * *

FOR THE COURT

Catherine O’Hagan Wolfe
Clerk of Court

New York, NY

Underline – material added