

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 05-5139**

**September Term, 2006**

**03cv02414**

**Filed On: December 22, 2006**

[1012876]

Marrita Murphy and Daniel J. Leveille,  
Appellants

v.

Internal Revenue Service and United States of  
America,  
Appellees

**BEFORE:** Ginsburg, Chief Judge, and Sentelle, Henderson, Randolph\*,  
Rogers, Tatel, Garland, Brown, Griffith, and Kavanaugh, Circuit  
Judges

## **ORDER**

Upon consideration of appellees' petition for rehearing en banc and the response thereto; and the order setting this matter for panel rehearing, it is

**ORDERED** that the petition be dismissed as moot. A new period for petitioning for en banc review will begin to run following the entry of a new panel judgment.

## **Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY:  
Nancy G. Dunn  
Deputy Clerk

\* Circuit Judge Randolph did not participate in this matter.