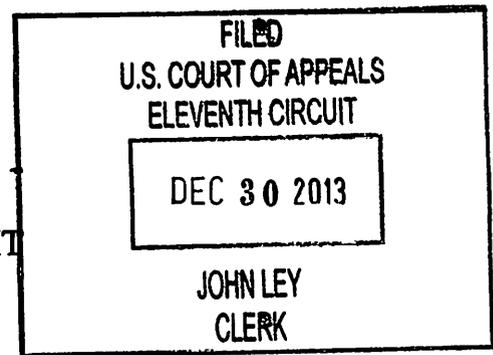


**U.S. COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

GENERAL ORDER NO. 41



28 U.S.C. § 46(b) provides that “[i]n each circuit the court may authorize the hearing and determination of cases and controversies by separate panels, each consisting of three judges, at least a majority of whom shall be judges of that court, . . . unless the chief judge of that court certifies that there is an emergency. . . .”

As Chief Judge of the United States Court of Appeals for the Eleventh Circuit, I hereby certify that there is an emergency requiring some cases and controversies before this Court to be heard and determined by three-judge panels consisting of fewer than two judges of this Court.

It is therefore ORDERED that:

A 28 U.S.C. § 46(b) emergency exists during which the hearing and determination of cases and controversies may be conducted by panels of three judges without meeting the usual qualification contained in § 46(b) that a majority of each panel be composed of judges of this Court.

Except as otherwise specifically provided in this order, all scheduled proceedings in this Court will continue as they otherwise would without interruption. This order will remain in effect until I or another judge duly authorized to act as Chief Judge formally declares that a 28 U.S.C. § 46(b)

emergency no longer exists.

FOR THE COURT:



Chief Judge

Date: December 30, 2013