

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 17-11536-P

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CHARLES LEE BURTON, 2:16-cv-0267

Consol Plaintiff - Appellant,

versus

WARDEN,  
COMMISSIONER, ALABAMA DOC,

Defendants - Appellees.

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ROBERT BRYANT MELSON, 2:16-cv-0268

Consol Plaintiff - Appellant,

versus

WARDEN,  
COMMISSIONER, ALABAMA DOC,

Defendants - Appellees.

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GEOFFREY TODD WEST, 2:16-cv-0270

Consol Plaintiff - Appellant,

versus

WARDEN,  
COMMISSIONER, ALABAMA DOC,

Defendants - Appellees.

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TORREY TWANE MCNABB, 2:16-cv-0284

Consol Plaintiff - Appellant,

versus

WARDEN,  
COMMISSIONER, ALABAMA DOC,

Defendants - Appellees.

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JEFFREY LYNN BORDEN, 2:16-cv-0733

Consol Plaintiff - Appellant,

versus

WARDEN,  
COMMISSIONER, ALABAMA DOC,

Defendants - Appellees.

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Appeal from the United States District Court  
for the Middle District of Alabama

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Before GERALD BARD TJOFLAT, Acting Chief Judge, HULL, MARCUS,  
WILSON, MARTIN, JORDAN, ROSENBAUM, JULIE CARNES, and JILL  
PRYOR, Circuit Judges.\*

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\* Chief Judge Ed Carnes and Judge William H. Pryor, Jr., having recused themselves, did not participate.

BY THE COURT:

A member of this Court in active service having requested a poll on whether the Court sitting en banc should hear in the first instance Robert Bryant Melson's claim based on the constitutional right of access-to-courts (a claim now pending before a panel of this Court) and stay his execution pending this Court's disposition of the claim, and a majority of the judges in active service on this Court having voted against such request, it is ORDERED that the access-to-courts claim will not be heard en banc. The concomitant request for a stay is consequently mooted.