

# District of Columbia Court of Appeals

No. 97-CF-1883

OLIDER I. BERROA,

Appellant,

F6174-96

v.

UNITED STATES,

Appellee.

BEFORE: Wagner, Chief Judge; Terry, Steadman, Schwelb, Farrell, Ruiz, Reid, Glickman, and Washington, Associate Judges.

## O R D E R

(Filed October 5, 2000)

On consideration of appellee's petition for rehearing en banc, and the response thereto; and it appearing that the majority of the judges of this court has voted to grant appellee's petition for rehearing en banc, it is

ORDERED that appellee's petition for rehearing en banc is granted. The opinion of the division, published at 745 A.2d 949 (D.C. 2000), is vacated as to parts II and III, and the judgments of conviction are affirmed for the reasons stated in part I of the division's opinion and in the en banc opinion of the court issued this date.

PER CURIAM