

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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No. 18-50484

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WHOLE WOMAN'S HEALTH; BROOKSIDE WOMEN'S MEDICAL CENTER, P.A., doing business as Brookside Women's Health Center and Austin Women's Health Center; LENDOL L. DAVIS, M.D.; ALAMO CITY SURGERY CENTER, P.L.L.C., doing business as Alamo Women's Reproductive Services; WHOLE WOMAN'S HEALTH ALLIANCE; DR. BHAVIK KHUMAR,

Plaintiffs - Appellees

v.

CHARLES SMITH, Executive Commissioner of the Texas Health and Human Services Commission, in his official capacity,

Defendant - Appellee

v.

TEXAS CATHOLIC CONFERENCE,

Movant - Appellant

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Appeal from the United States District Court  
for the Western District of Texas

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ON PETITION FOR REHEARING EN BANC

(Opinion 7/15/2018, 5 Cir., \_\_\_\_\_, \_\_\_\_\_ F.3d \_\_\_\_\_)

Before JONES, COSTA, and HO, Circuit Judges.

Treating the Petition for Rehearing En Banc as a Petition for Panel Rehearing the Petition for Panel Rehearing is DENIED. No member of the panel nor judge in regular active service of the court having requested that the court be polled on Rehearing En Banc (FED. R. APP. P. AND 5<sup>TH</sup> CIR. R. 35), the Petition for Rehearing En Banc is DENIED.

This order in no way disturbs the court's orders filed July 31, 2018, granting a stay of the mandate issuance and extension for bill of costs as prescribed therein.

ENTERED FOR THE COURT:

  
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UNITED STATES CIRCUIT JUDGE