

No. 04-4149

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED

SEP 30 2004

LEONARD GREEN, Clerk
M.R.A.

ADREMY DENNIS,)
Plaintiff - Appellant)
v.)
ROBERT TAFT, et al.,)
Defendants - Appellees)

ORDER

U.S. COURT OF APPEALS
SOUTHERN DISTRICT OF OHIO
CANTON, OHIO

2004 OCT -1 A 11:21

FILED
JAMES BONINI
CLERK

Before: SUHRHEINRICH, SILER, and DAUGHTREY, Circuit Judges

This matter comes before the court upon the motion of the appellant to dismiss the appeal as moot pursuant to Rule 42(b), Fed.R.App.P. The appellant filed a petition asking the court to grant initial hearing of the appeal *en banc*, which petition was circulated to the active judges of the court*. No judge having asked for a poll on the petition, the matter is thereby referred to this panel.

Upon consideration of the motion to dismiss, which the court finds well taken, it is ORDERED that the appeal be, and it hereby is, DISMISSED.

[Faint signature and stamp]

ENTERED BY ORDER OF THE COURT

[Signature of Leonard Green]
Leonard Green, Clerk

*Hon. Deborah L. Cook has recused in the matter.