

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

No. 07-4555

JUSTIN LAYSHOCK, a minor, by and through his parents;  
DONALD LAYSHOCK; CHERYL LAYSHOCK,  
individually and on behalf  
of their son

v.

HERMITAGE SCHOOL DISTRICT;  
KAREN IONTA, District Superintendent;  
ERIC W. TROSCH, principal Hickory High School;  
CHRIS GILL, Co-Principal Hickory High School, all  
in their official and individual capacity

Donald Layshock; Cheryl Layshock,  
Appellants

Appeal from the United States District Court  
for the Western District of Pennsylvania  
(Civ. No. 06-cv-00116)  
District Judge: Hon. Terrence F. McVerry

ORDER

Today the Court has granted the petition for rehearing en banc filed by the Hermitage School District in appeal No. 07-4465. As a result the opinion and judgment in No. 07-4465 is vacated. It is noted that a petition for rehearing was not filed in appeal No. 07-4555. Accordingly, the opinion and judgment entered by this Court on February 4, 2010 stands with respect to the affirmance of the district court's grant of summary judgment to the Hermitage School District on Donald and Cheryl Layshock's Fourteenth Amendment Due

Process claim. The mandate shall issue with respect to appeal No. 07-4555.

For the Court,

*Marcia M. Waldron*

Marcia M. Waldron, Clerk

Dated: April 9, 2010

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