

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

March 6, 2015

**Elisabeth A. Shumaker
Clerk of Court**

CITIZENS UNITED, a Virginia Non-Stock
Corporation,

Plaintiff - Appellant,

v.

No. 14-1387

SCOTT GESSLER, in his official capacity
as Secretary of State of the State of
Colorado; SUZANNE STAIERT, in her
official capacity as Deputy Secretary of
State of the State of Colorado,

Defendants - Appellees,

and

COLORADO DEMOCRATIC PARTY;
GAROLD A. FORNANDER; LUCIA
GUZMAN; DICKEY LEE
HULLINGHORST,

Intervenors Defendants.

CITIZENS FOR RESPONSIBILITY AND
ETHICS IN WASHINGTON;
COLORADO COMMON CAUSE;
COLORADO ETHICS WATCH;
PROGRESSIVE UNITED,

Movants.

ORDER

Before **BRISCOE**, Chief Judge, **KELLY, LUCERO, HARTZ, TYMKOVICH, GORSUCH, HOLMES, MATHESON, BACHARACH, PHILLIPS, MCHUGH, and MORITZ**, Circuit Judges.

This matter is before the court on the Secretary of State's *Petition for Rehearing and for Rehearing En Banc*. We also have a response from appellant Citizen's United.

Upon consideration, the request for panel rehearing is denied by a majority of the original panel members.

The petition for rehearing en banc was also transmitted to all of the judges of the court who are in regular active service. A poll was called, and a majority of the active judges voted to deny the request for en banc rehearing. Consequently, that petition is likewise denied. Chief Judge Briscoe, as well as Judges Lucero and Phillips, would grant the en banc request.

Entered for the Court

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", followed by a long horizontal flourish.

ELISABETH A. SHUMAKER, Clerk