

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

March 20, 2026

Lyle W. Cayce
Clerk

No. 22-11172

CORNELIUS CAMPBELL BURGESS,

Plaintiff—Appellee/Cross-Appellant,

versus

JENNIFER WHANG, *In her official capacity as an Administrative Law Judge;*
FEDERAL DEPOSIT INSURANCE CORPORATION; MARTIN J.
GRUENBERG, *In his official capacity as Acting Chairman of the FDIC;*
MICHAEL J. HSU, *In his official capacity as a Director of the FDIC;*
ROHIT CHOPRA, *In his official capacity as a Director of the FDIC,*

Defendants—Appellants/Cross-Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 7:22-CV-100

ON PETITION FOR REHEARING EN BANC

Before WIENER, DOUGLAS, and RAMIREZ, *Circuit Judges.*

PER CURIAM:

Treating the petition for rehearing en banc as a petition for panel rehearing (5TH CIR. R.40 I.O.P.), the petition for panel rehearing is DENIED. Because no member of the panel or judge in regular active service requested that the court be polled on rehearing en banc (FED. R.

No. 22-11172

APP. P.40 and 5TH CIR. R.40), the petition for rehearing en banc is DENIED.