

May 18, 2010

UNITED STATES COURT OF APPEALS

**Elisabeth A. Shumaker
Clerk of Court**

FOR THE TENTH CIRCUIT

MARILYN MORRIS, et al.,

Petitioners,

v.

No. 07-9505

UNITED STATES NUCLEAR
REGULATORY COMMISSION, et al.,

Respondents,

HYDRO RESOURCES, INC.,

Intervenor - Respondent,

NAVAJO NATION,

Amicus Curiae.

ORDER

Before **LUCERO, EBEL** and **FRIZZELL**,* Circuit Judges.

Petitioners' petition for rehearing is denied.

The petition for rehearing en banc was transmitted to all of the judges of the court

*Honorable Gregory K. Frizzell, District Court Judge, Northern District of Oklahoma, sitting by designation.

who are in regular active service. As no member of the panel and no judge in regular active service on the court requested that the court be polled, that petition is also denied.

Navaho Nation's motion for leave to file an amicus curiae brief in support of the petition for rehearing is granted.

Entered for the Court,

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

ELISABETH A. SHUMAKER, Clerk