## FOR PUBLICATION

## UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

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UNITED STATES OF AMERICA,	No.
Plaintiff-Appellant,	D.
v.	2:99-
Ahmed Ressam,	J
Defendant-Appellee.	0
	,

No. 09-30000 D.C. No. 2:99-cr-00666-JCC-1 ORDER

Filed August 2, 2011

## ORDER

KOZINSKI, Chief Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that this case be reheard en banc pursuant to Circuit Rule 35-3. The three-judge panel opinion shall not be cited as precedent by or to any court of the Ninth Circuit.