

FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 26 2022

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

THE GEO GROUP, INC.,

Plaintiff-Appellant,

and

UNITED STATES OF AMERICA,

Plaintiff,

v.

GAVIN NEWSOM, in his official capacity  
as Governor of the State of California; ROB  
BONTA, in his official capacity as Attorney  
General of the State of California,

Defendants-Appellees,

and

STATE OF CALIFORNIA,

Defendant.

No. 20-56172

D.C. Nos.

3:19-cv-02491-JLS-WVG

3:20-cv-00154-JLS-WVG

Southern District of California,  
San Diego

**ORDER**

UNITED STATES OF AMERICA,

Plaintiff-Appellant,

and

THE GEO GROUP, INC.,

Plaintiff,

v.

GAVIN NEWSOM, in his official capacity  
as Governor of the State of California; ROB  
BONTA, in his official capacity as Attorney  
General of the State of California; STATE  
OF CALIFORNIA,

Defendants-Appellees.

No. 20-56304

D.C. Nos.

3:19-cv-02491-JLS-WVG

3:20-cv-00154-JLS-WVG

**MURGUIA**, Chief Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that these cases be reheard en banc pursuant to Federal Rule of Appellate Procedure 35(a) and Circuit Rule 35-3. The three-judge panel opinion is vacated.