

**FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

<p>YEWHALASHET ABEBE, <span style="float: right;"><i>Petitioner,</i></span></p> <p style="text-align: center;">v.</p> <p>MICHAEL B. MUKASEY, Attorney General, <span style="float: right;"><i>Respondent.</i></span></p>	}	<p>No. 05-76201</p> <p>Agency No. A26-810-941</p> <p><b>ORDER</b></p>
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Filed January 25, 2008

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**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.

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