

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

UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*  
v.  
HUGO ARMANDO LOMELI-MENCES,  
*Defendant-Appellant.*

No. 07-50452  
D.C. No.  
CR-07-00075-SGL  
Central District of  
California,  
Riverside  
**ORDER**

Filed September 30, 2009

Before: Harry Pregerson, Susan P. Graber, and  
Kim McLane Wardlaw, Circuit Judges.

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**ORDER**

The opinion filed on May 28, 2009, and published at 567 F.3d 501, is withdrawn. It may not be cited as precedent by or to this court or any district court of the Ninth Circuit. The opinion is replaced by the memorandum disposition filed concurrently with this order.

With the filing of the memorandum disposition, the petition for panel rehearing is DENIED. No further petitions for rehearing or petitions for rehearing en banc will be entertained.

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