

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

<p>NIRMAL SINGH, <div style="text-align: right;"><i>Petitioner,</i></div> <div style="text-align: center;">v.</div> <p>ERIC H. HOLDER JR., Attorney General, <div style="text-align: right;"><i>Respondent.</i></div> </p></p>	}	<p>No. 08-70434 Agency No. A099-330-446 ORDER</p>
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Filed September 17, 2010

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.