

**FILED**

JUL 29 2014

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

**FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

**ROBERTO CURINSITA  
MALDONADO,**

Petitioner,

v.

**ERIC H. HOLDER Jr., Attorney  
General,**

Respondent.

No. 09-71491

Agency No. A017-263-848

**ORDER**

**KOZINSKI**, Chief Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that this case be heard en banc pursuant to Federal Rule of Appellate Procedure 35(a) and Circuit Rule 35-3.

Judges Graber and Friedland did not participate in the deliberations or vote in this case.