

FILED

MAR 12 2013

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

FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JUAN ROBERTO ALBINO,

Plaintiff - Appellant,

v.

**LEE BACA, Los Angeles County
Sheriff; LOS ANGELES COUNTY,**

Defendants - Appellees.

No. 10-55702

D.C. No. 2:08-cv-03790-GAF-
MLG

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 Federal Rule of Appellate Procedure 35(a) and Circuit Rule 35-3. The three-judge panel opinion shall not be cited as precedent by or to any court of the Ninth Circuit.