

FILED

JUN 05 2015

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

FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

RONALD TAYLOR,

Petitioner - Appellant,

v.

**MATTHEW L. CATE, Secretary of the
California Department of Corrections
and Rehabilitation,**

Respondent - Appellee.

No. 11-55247

D.C. No. 2:09-cv-05267-ODW-OP

ORDER

THOMAS, 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.