

**FOR PUBLICATION**

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

BASSAM YUSUF KHOURY; ALVIN  
RODRIGUEZ MOYA; PABLO CARRERA  
ZAVALA, on behalf of themselves as  
individuals and on behalf of others  
similarly situated,

*Plaintiffs-Appellees,*

v.

ELIZABETH GODFREY, Acting Field  
Office Director, ICE; LOWELL  
CLARK, Warden, NWDC; JAMES  
MCHENRY, Director of EOIR;  
WILLIAM P. BARR, Attorney General,  
Attorney General of the United States;  
KEVIN K. MCALEENAN, Acting  
Secretary of the Department of  
Homeland Security; UNITED STATES  
OF AMERICA; RONALD D. VITIELLO,  
Acting Director, Immigration and  
Customs Enforcement (ICE),

*Defendants-Appellants.*

No. 14-35482

D.C. No.  
2:13-cv-01367-  
RAJ

ORDER

On Remand from the United States Supreme Court

Filed May 1, 2019

Before: Andrew J. Kleinfeld, Jacqueline H. Nguyen,  
and Michelle T. Friedland, Circuit Judges.

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**ORDER**

In light of the Supreme Court's decision in *Nielsen v. Preap*, 139 S. Ct. 954 (2019), the memorandum disposition of this Court dated August 4, 2016, is **VACATED** and judgment is entered **REVERSING** the district court's judgment. We remand this case to the district court for further proceedings consistent with the Supreme Court's opinion.

**REVERSED and REMANDED.**