

**FILED**

NOV 12 2015

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

**FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

**UNITED STATES OF AMERICA,**

Plaintiff - Appellee,

v.

**FRANCISCO JAVIER GASCA-RUIZ,**

Defendant - Appellant.

No. 14-50342

D.C. No. 3:14-cr-00958-GPC-1

**ORDER**

**UNITED STATES OF AMERICA,**

Plaintiff - Appellee,

v.

**FRANCISCO JAVIER GASCA-RUIZ,**

Defendant - Appellant.

No. 14-50343

D.C. No. 3:12-cr-01124-GPC-1

**THOMAS**, Chief Judge:

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

Judge Owens did not participate in the deliberations or vote in these cases.