

**FOR PUBLICATION**

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

UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*

v.

RUFINO PERALTA-SANCHEZ,  
*Defendant-Appellant.*

Nos. 14-50393  
14-50394

D.C. Nos.  
3:12-cr-03370-LAB-1  
3:14-cr-01308-LAB-1

ORDER

Filed August 22, 2017

Before: Harry Pregerson, Jay S. Bybee,  
and N. Randy Smith, Circuit Judges.

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**ORDER**

Appellant's petition for panel rehearing is hereby  
**GRANTED.**

The opinion and dissent filed February 7, 2017, Nos. 14-50393 and 14-50394, and appearing at 847 F.3d 1124, are withdrawn. It shall not be cited as precedent by or to any court of the Ninth Circuit.

A memorandum disposition is being simultaneously filed with this order. Judge Pregerson concurs in the judgment.

No further petitions for panel rehearing or rehearing en banc will be entertained in this case.