

FILED

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MACJHAY YAGAO,

Petitioner,

v.

MATTHEW G. WHITAKER, Acting  
Attorney General,

Respondent.

No. 16-72812

Agency No. A044-946-445

ORDER\*

On Petition for Review of an Order of the  
Board of Immigration Appeals

Argued and Submitted April 13, 2018  
Pasadena, California

Before: SCHROEDER, CLIFTON, and M. SMITH, Circuit Judges.

Petitioner has filed a request to withdraw the Court's memorandum disposition in light of the BIA's order reopening proceedings. The Government agrees and has moved for withdrawal of the disposition as well.

The memorandum issued on May 22, 2018 is WITHDRAWN.

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

The petition for panel rehearing, Docket No. 55, is DENIED as moot.

There is no longer a final order of removal before the Court given the BIA's decision to reopen Petitioner's removal proceedings. Accordingly, the petition for review is DISMISSED for lack of jurisdiction.