

FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 29 2021

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 19-30006

Plaintiff-Appellant,

D.C. No.

v.

1:18-cr-02050-SAB-1

JUAN CARLOS BASTIDE-HERNANDEZ,  
AKA Jesus Chavez-Gongoria, AKA  
Domingo Chavez-Lopez, AKA Francisco  
Soto Hernandez,

Eastern District of Washington,  
Yakima

Defendant-Appellee.

**ORDER**

**MURGUIA**, 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 is vacated.