

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

**FILED**

FEB 25 2021

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

VIRGINIA DUNCAN; RICHARD LEWIS;  
PATRICK LOVETTE; DAVID  
MARGUGLIO; CHRISTOPHER  
WADDELL; CALIFORNIA RIFLE &  
PISTOL ASSOCIATION, INC., a California  
corporation,

Plaintiffs-Appellees,

v.

XAVIER BECERRA, in his official capacity  
as Attorney General of the State of  
California,

Defendant-Appellant.

No. 19-55376

D.C. No.

3:17-cv-01017-BEN-JLB

Southern District of California,  
San Diego

**ORDER**

**THOMAS**, 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.

Judges Owens and Bress did not participate in the deliberations or vote in this case.