

FILED

MAR 04 2013

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

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

EDWARD HAROLD SCHAD,

Petitioner - Appellant,

v.

CHARLES L. RYAN, Arizona
Department of Corrections,

Respondent - Appellee.

No. 07-99005

D.C. No. CV-9702577-PHX-ROS
District of Arizona,
Phoenix

ORDER

Before: SCHROEDER, REINHARDT, and GRABER, Circuit Judges.

A majority of the panel has voted to deny the petition for panel rehearing.

Judge Graber would grant the petition.

The petition for panel rehearing is DENIED.