

FILED

UNITED STATES COURT OF APPEALS

JUN 09 2009

FOR THE NINTH CIRCUIT

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

ARTHUR DUANE JACKSON,

Plaintiff - Appellant,

v.

J. P. GONZALEZ, Associate Warden; et  
al.,

Defendants - Appellees.

No. 08-55774

D.C. No. 3:05-cv-00513-L-NLS  
Southern District of California,  
San Diego

ORDER

Before: GRABER, GOULD and BEA, Circuit Judges.

The memorandum disposition filed on April 28, 2009, is withdrawn. A replacement memorandum disposition will be filed concurrently with this order.

Jackson's petition for panel rehearing is denied as moot.

Appellees may file a petition for rehearing within 14 days of the issuance of the replacement memorandum disposition.