

JUL 16 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

GASIM ABUHAWA,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 05-75276

Agency No. A075-727-333

ORDER

GASIM ABUHAWA,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 05-77269

Agency No. A075-727-333

GASIM ABUHAWA,

Petitioner,

v.

No. 06-73290

Agency No. A075-727-333

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

Before: FRIEDMAN,* D.W. NELSON, and REINHARDT, Circuit Judges.

The memorandum disposition filed May 12, 2010, is hereby amended as follows:

1. At page 6, paragraph 2, line 3 - page 7, paragraph 1, line 6: Delete the text beginning <On remand> and ending <in a similar manner.> and replace it with the following sentence: <On remand, the BIA is not precluded from re-evaluating Abuhawa's credibility, although in doing so it may not, of course, draw adverse inferences on the bases that we have here rejected. *See Soto-Olarte v. Holder*, 555 F.3d 1089, 1093-96 (9th Cir. 2009).>

With this amendment, the petition for rehearing is DENIED.

* The Honorable Daniel M. Friedman, United States Circuit Judge for the Federal Circuit, sitting by designation.