

FILED

JUL 12 2016

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

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

STEVEN PECK; et al.,

Plaintiffs-Appellants,

v.

MARGARET HINCHEY, individually
and in her official capacity as a peace
officer with the Arizona Attorney
General's Office; et al.,

Defendants-Appellees.

No. 14-15526

D.C. No. 2:12-cv-01371-JAT
District of Arizona,
Phoenix

ORDER

STEVEN PECK; et al.,

Plaintiffs-Appellees,

v.

MARGARET HINCHEY, individually
and in her official capacity as a peace
officer with the Arizona Attorney
General's Office,

Defendant-Appellant.

No. 14-15717

D.C. No. 2:12-cv-01371-JAT
District of Arizona,
Phoenix

Before: BYBEE, and N.R. SMITH, Circuit Judges, and KORMAN,* District Judge.

* The Honorable Edward R. Korman, United States District Judge for the Eastern District of New York, sitting by designation.

The Memorandum Disposition filed June 16, 2016 is amended as follows:

On page 3, in the first full paragraph, after the last sentence that begins, “We affirm the district court’s decision . . . ” insert the following sentence: “As the district court based its dismissal of these claims on immunity grounds, we decline to address in the first instance Hinchey’s alternative bases for dismissal of Counts I, II, and III, and leave these to the district court to consider on remand.”

With this amendment, the panel has voted to deny the petition for panel rehearing. Appellant’s petition for rehearing, filed June 30, 2016, is DENIED. The panel will not entertain future petitions for rehearing.