

FILED

OCT 03 2016

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

IGNACIO DIAZ-PEREZ,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 10-70644

Agency No. A031-083-017

ORDER*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted May 15, 2013**
San Francisco, California

Before: CLIFTON and BEA, Circuit Judges, and KORMAN,*** Senior District
Judge.

Respondent's unopposed motion to vacate this Court's June 3, 2013
disposition and remand the petition to the Board of Immigration Appeals (the

* This disposition is not appropriate for publication and is not precedent
except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision
without oral argument. *See* Fed. R. App. P. 34(a)(2).

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

“Board”) is granted. Petitioner’s motion to vacate and remand is likewise granted.

Petitioner’s removal is stayed pending the Board’ decision on remand.

Petitioner may file a motion to reinstate this petition within 30 days of the Board’ decision. The parties have agreed to bear their own costs and fees.

Petitioner’s motion for panel rehearing is denied as moot.

This order shall act as and for the mandate of the court.