

**FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

UNITED STATES OF AMERICA, <i>Plaintiff-Appellant,</i> v. HOSSEIN AFSHARI, aka Hosseini Deklami; et al., <i>Defendants-Appellees.</i>
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No. 02-50355  
D.C. No.  
CR-01-00209-RMT  
Central District  
of California,  
Los Angeles  
ORDER

Filed June 17, 2005

Before: Andrew J. Kleinfeld, Kim McLane Wardlaw, and  
William A. Fletcher, Circuit Judges.

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**ORDER**

The opinion filed December 20, 2004, and appearing at 392 F.3d 1031 (9th Cir. 2004), is withdrawn. Pursuant to General Order 5.3.a, an opinion is filed contemporaneously with this order. With the withdrawal and substitution of the opinion, the petition for rehearing and petition for rehearing en banc are denied as moot. Subsequent petitions for rehearing and petitions for rehearing en banc may be filed. Federal Rule of Appellate Procedure 40 now controls.

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