

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

UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*  
v.  
JOSE LUIS LOPEZ-ZAMORA,  
*Defendant-Appellant.*

No. 03-50304  
D.C. No.  
CR-01-01918-JM  
Southern District  
of California,  
San Diego  
**ORDER**  
**WITHDRAWING**  
**OPINION AND**  
**DENYING**  
**PETITION FOR**  
**REHEARING**

Filed August 4, 2005

Before: A. Wallace Tashima, M. Margaret McKeown, and  
Jay S. Bybee, Circuit Judges.

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**ORDER**

The opinion and concurring opinion filed December 29, 2004, and appearing at 392 F.3d 1087 (9th Cir. 2004), are withdrawn. They may not be cited by or to this court or any district court of the Ninth Circuit. A memorandum disposition shall be filed in their stead. With the withdrawal of the opinions and substitution of the memorandum disposition, the petition for rehearing is denied as moot. Subsequent petitions for rehearing and petitions for rehearing en banc may be filed.

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