

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

RICHARD CRAIG KESSER,
Petitioner-Appellant,
v.
STEVEN J. CAMBRA, JR., Warden,
Respondent-Appellee.

No. 02-15475
D.C. No.
CV-96-03452-PJH

JENNIFER GAYLE LEAHY,
Petitioner-Appellant,
v.
TEENA FARMON, Warden,
Respondent-Appellee.

No. 01-17467
D.C. No.
CV-97-01407-PJH
ORDER

Filed October 14, 2005

Before: Mary M. Schroeder, Chief Judge.

ORDER

Upon the vote of a majority of nonrecused regular active judges of this court, it is ordered that these cases be reheard by the en banc court pursuant to Circuit Rule 35-3. The three-judge panel opinion in *Kesser v. Cambra*, No. 02-15475, shall not be cited as precedent by or to this court or any district court of the Ninth Circuit, except to the extent adopted by the en banc court.

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