

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,
Plaintiff-Appellee,
v.
RAUL ORTUNO-HIGAREDA,
Defendant-Appellant.

No. 04-10257
D.C. No.
CR-00-00786-
1-JMR
District of Arizona,
Tucson
ORDER

Filed March 16 2007

Before: Mary M. Schroeder, Chief Circuit Judge,
J. Clifford Wallace, Stephen Reinhardt,
Diarmuid F. O'Scannlain, Pamela Ann Rymer,
Michael Daly Hawkins, Sidney R. Thomas,
Barry G. Silverman, Susan P. Graber,
Kim McLane Wardlaw, Raymond C. Fisher,
Richard A. Paez, Marsha S. Berzon, Richard C. Tallman, and
Jay S. Bybee, Circuit Judges.

ORDER

In light of the information furnished to us by the parties in response to our order of March 13, 2007, the appeal is dismissed as moot. The three-judge panel opinion, published at 450 F.3d 406 (9th Cir. 2006), is vacated.

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