

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,
Plaintiff-Appellee,
v.
ADRIAN GARCIA,
Defendant-Appellant.

No. 05-30356
D.C. No.
CR-04-00301-016-
MJP

UNITED STATES OF AMERICA,
Plaintiff-Appellee,
v.
IVAN TORRES,
Defendant-Appellant.

No. 05-30391
D.C. No.
CR-04-00301-003-
MJP

UNITED STATES OF AMERICA,
Plaintiff-Appellee,
v.
MIGUEL PLASCENCIA-ALVARADO,
also known as Esteban Garcia-
Morales also known as Angel
Caloca,
Defendant-Appellant.

No. 05-30415
D.C. No.
CR-04-00301-007-
MJP
ORDER
GRANTING
PETITION FOR
REHEARING AND
AMENDING
OPINION

Filed April 17, 2008

Before: J. Clifford Wallace, Kim McLane Wardlaw and
Raymond C. Fisher, Circuit Judges.

ORDER

The panel has voted to grant the joint petition for panel rehearing filed by Appellants Adrian Garcia (case no. 05-30356) and Miguel Plascencia-Alvarado (case no. 05-30415). Judges Wardlaw and Fisher voted to deny the joint petition for rehearing en banc and Judge Wallace recommended denying the joint petition for rehearing en banc.

The full court has been advised of the joint petition for rehearing en banc and no judge of the court has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35.

Appellants' joint petition for panel rehearing is **GRANTED** and the petition for rehearing en banc, is **DENIED**.

The opinion filed on November 19, 2007, and appearing at 507 F.3d 1213 (9th Cir. 2007) is amended. The superseding amended opinion will be filed concurrently with this order.

The parties may file a petition for rehearing based on the amended opinion.

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