

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

TROY MATTOS; JAYZEL MATTOS,
Plaintiffs-Appellees,

v.

DARREN AGARANO; RYAN AIKALA;
STUART KUNIOKA; HALAYUDHA
MACKNIGHT,
Defendants-Appellants,

and

MAUI COUNTY,
Defendant.

No. 08-15567
D.C. No.
07-CV-00220-DAE
ORDER

Filed October 4, 2010

ORDER

KOZINSKI, Chief Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that this case be reheard en banc pursuant to Circuit Rule 35-3. The three-judge panel opinion shall not be cited as precedent by or to any court of the Ninth Circuit.