

FOR PUBLICATION

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

RICHARD D. HURLES,
Petitioner-Appellant,

v.

CHARLES L. RYAN,
Respondent-Appellee.

No. 08-99032

D.C. No.
CIV-00-0118-PHX-RCB
District of Arizona,
Phoenix

ORDER

Filed March 19, 2013

Before: Harry Pregerson, Dorothy W. Nelson,
and Sandra S. Ikuta, Circuit Judges.

ORDER

The Court takes the respondent's Motion for Ruling on Respondent-Appellees' Petition for Rehearing En Banc and the petitioner's Motion to remand pursuant to *Martinez v. Ryan*, 132 S.Ct. 1309 (2012), under submission. The Court defers ruling on these motions pending the resolution of *Detrich v. Ryan*, No. 08-99001.

IT IS SO ORDERED.