

**FOR PUBLICATION**

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

UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*

v.

DAMIEN ZEPEDA,  
*Defendant-Appellant.*

No. 10-10131

D.C. No.  
2:08-cr-01329-  
ROS-1

ORDER

Filed August 20, 2013

Before: Ferdinand F. Fernandez, Richard A. Paez,  
and Paul J. Watford, Circuit Judges.

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**ORDER**

The opinion in this case filed on January 18, 2013, and reported at 705 F.3d 1052 is hereby withdrawn. The opinion shall not be cited as precedent by or to any court of the Ninth Circuit. The court will file a new opinion in due course. As the court's opinion is withdrawn, the government's petition for rehearing and rehearing en banc is moot.