

FOR PUBLICATION

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

RAFAEL GONZALEZ, individually and
as successor in interest to Adolph
Anthony Sanchez Gonzalez,
Plaintiff,

and

F.E.V., a minor, individually and as
successor in interest to Adolph
Anthony Sanchez Gonzalez, by and
through her Guardian Ad Litem
David Vasquez; ANTOINETTE
SANCHEZ, individually and as
successor in interest to Adolph
Anthony Sanchez Gonzalez,
Plaintiffs-Appellants,

v.

CITY OF ANAHEIM; DARON WYATT;
MATTHEW ELLIS,
Defendants-Appellees.

No. 11-56360

D.C. No.
2:10-cv-04660-
PA-SH

ORDER

Filed October 28, 2013

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 Federal Rule of Appellate Procedure 35(a) and Circuit Rule 35-3. The three-judge panel opinion shall not be cited as precedent by or to any court of the Ninth Circuit.

Judge Watford did not participate in the deliberations or vote in this case.