

FOR PUBLICATION

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

ROBERT MCDANIELS,
Petitioner-Appellant,

v.

RICHARD J. KIRKLAND, Warden;
KRAMER, Warden,
Respondents-Appellees.

No. 09-17339

D.C. No.
4:05-cv-00904-
PJH

KEELON T. JENKINS,
Petitioner-Appellant,

v.

MICHAEL S. EVANS,
Respondent-Appellee.

No. 11-15030

D.C. No.
3:05-cv-02003-
MHP

ORDER

Filed February 26, 2015

ORDER

THOMAS, Chief Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that these cases be reheard en banc pursuant to Federal Rule of Appellate Procedure 35(a) and Circuit Rule 35-3.