

**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

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**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.