

**FOR PUBLICATION**

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

RONALD TAYLOR,  
*Petitioner-Appellant,*

v.

MATTHEW L. CATE, Secretary of the  
California Department of  
Corrections and Rehabilitation,  
*Respondent-Appellee.*

No. 11-55247

D.C. No.  
2:09-cv-05267-  
ODW-OP

ORDER

Filed June 5, 2015

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**ORDER**

THOMAS, 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.