

FOR PUBLICATION

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

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

FRANCISCO JAVIER GASCA-RUIZ,
Defendant-Appellant.

No. 14-50342

D.C. No.
3:14-cr-00958-
GPC-1

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

FRANCISCO JAVIER GASCA-RUIZ,
Defendant-Appellant.

No. 14-50343

D.C. No.
3:12-cr-01124-
GPC-1

ORDER

Filed November 12, 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.

Judge Owens did not participate in the deliberations or vote in these cases.