

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 4 2020

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

QUAN BIN JIN,

No. 13-70415

Petitioner,

Agency No. A087-957-040

v.

ORDER

WILLIAM P. BARR, Attorney General,

Respondent.

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted October 11, 2018*
Honolulu, Hawaii

Before: WARDLAW, BERZON, and BENNETT, Circuit Judges.

The panel has voted to grant Jin's petition for panel rehearing in light of this court's en banc decision in *Torres v. Barr*, No. 13-70653, 2020 WL 5668478 (9th Cir. Sept. 24, 2020) (en banc) (overruling *Minto v. Sessions*, 854 F.3d 619 (9th Cir. 2017)). The prior memorandum disposition (Dkt. 65) in this case is vacated. Jin's petition for rehearing en banc is denied as moot.

* The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

Jin's petition for review of the order of the Board of Immigration Appeals is remanded to the agency to determine in the first instance whether alternative grounds for removability exist under 8 U.S.C. § 1182(a)(6).

The petition for panel rehearing is **GRANTED** and the case is **REMANDED** for further proceedings not inconsistent with this order.