

FILED

FEB 19 2021

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LIQIANG GU,

Petitioner,

v.

ROBERT M. WILKINSON, Acting
Attorney General,

Respondent.

No. 13-72936

Agency No. A087-957-069

ORDER

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

The panel has voted to grant Gu'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. 64) in this case is vacated.

Gu'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)(A)(I).

The Petition for Panel Rehearing is GRANTED and the case is REMANDED for further proceedings not inconsistent with this order.

The Petition for Rehearing en banc is denied as moot.