

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

RIGOBERTO AGUILAR-TURCIOS,  
*Petitioner,*

v.

ERIC H. HOLDER JR., Attorney  
General,

*Respondent.*

No. 06-73451

Agency No.  
A045-301-132

ORDER

Filed August 29, 2011

Before: Pamela Ann Rymer, Richard A. Paez, and  
Jay S. Bybee, Circuit Judges.

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**ORDER**

The opinion filed on September 29, 2009, and reported at *Aguilar-Turcios v. Holder*, 582 F.3d 1093 (9th Cir. 2009), is WITHDRAWN.

The parties are directed to file supplemental briefs addressing the following issue: What effect, if any, does *United States v. Aguila-Montes De Oca*, \_\_\_ F.3d \_\_\_ (9th Cir. 2011) (en banc), 2011 WL 3506442, have on this case?

Petitioner's supplemental brief shall be filed within 21 days from the date of filing of this order. Respondent shall then have 21 days to file a supplemental responsive brief. Petitioner shall have 14 days to file an optional reply brief. The supplemental briefs and reply brief shall not exceed 15 pages.

Submission of this case is vacated.

With the filing of this order, the Petition for Rehearing En Banc is moot.

IT IS SO ORDERED.