

**FOR PUBLICATION**

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

ISAIAS LORENZO LOPEZ,

*Petitioner,*

v.

MERRICK B. GARLAND, Attorney  
General,

*Respondent.*

No. 15-72406

Agency No.  
A078-242-814

OPINION

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

Submitted En Banc June 1, 2021\*  
San Francisco, California

File June 8, 2021

Before: Sidney R. Thomas, Chief Judge, and Marsha S.  
Berzon, Johnnie B. Rawlinson, Morgan Christen,  
Paul J. Watford, Mark J. Bennett, Eric D. Miller,  
Bridget S. Bade, Daniel P. Collins, Danielle J. Forrest,  
and Lawrence J. VanDyke, Circuit Judges.

Opinion by Chief Judge Thomas

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

**COUNSEL**

Jan Joseph Bejar and Nicole A. Leon, Law Offices of Jan Joseph Bejar P.L.C., San Diego, California; David J. Zimmer and Joshua J. Bone, Goodwin Procter LLP, Boston, Massachusetts; for Petitioner.

John W. Blakeley, Assistant Director; M. Jocelyn Lopez Wright and Patrick J. Glen, Senior Litigation Counsel; Office of Immigration Litigation, Civil Division, United States Department of Justice, Washington, D.C.; for Respondent.

Philip L. Torrey, Crimmigration Clinic, Harvard Immigration and Refugee Clinical Program, Harvard Law School, Cambridge, Massachusetts, for Amici Curiae  
Retired Immigration Judges and Former Members of the Board of Immigration Appeals.

Russell Reid Abrutyn, Abrutyn Law PLLC, Berkley, Michigan, for Amicus Curiae the American Immigration Lawyers Association.

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**OPINION**

THOMAS, Chief Judge:

We stayed en banc proceedings and submission of this case pending the issuance of an opinion by the United States Supreme Court in *Niz-Chavez v. Barr*, No. 19-863. The Supreme Court has now issued its opinion. *Niz-Chavez v. Garland*, 141 S. Ct. 1474 (2021). In light of the decision, we **GRANT** the Petition for Review and **REMAND** the case to

the Board of Immigration Appeals for reconsideration in light of *Niz-Chavez*.

**PETITION GRANTED. REMANDED.**