

FOR PUBLICATION

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

CINDY MENDOZA; GLORIA
BERMUDEZ; REBECCA HEATH;
KARL WADE ROBERTS; CEKAIS
TONI GANUELAS; LORI SPANO,

Plaintiffs-Appellants,

v.

KRIS STRICKLER, in his official
capacity as Director of the Oregon
Department of Transportation; AMY
JOYCE, in her official capacity as
Administrator of the Division of
Motor Vehicles, Oregon Department
of Transportation,

Defendants-Appellees.

No. 19-35506

D.C. No. 3:18-cv-
01634-HZ

ORDER

Filed April 17, 2023

Before: Marsha S. Berzon and Daniel P. Collins, Circuit
Judges, and Jennifer Choe-Groves,* Judge.

* The Honorable Jennifer Choe-Groves, Judge for the United States
Court of International Trade, sitting by designation.

SUMMARY**

Civil Rights

The panel denied on behalf of the court a petition for rehearing en banc in an action challenging the constitutionality of Oregon's since-repealed system of suspending, without an inquiry into ability to pay, the driver's licenses of persons who fail to pay the fines imposed on them in connection with traffic violations.

** This summary constitutes no part of the opinion of the court. It has been prepared by court staff for the convenience of the reader.

ORDER

The full court was advised of the petition for rehearing en banc. A judge requested a vote on whether to rehear the matter en banc, and the matter failed to receive a majority of the votes of the nonrecused active judges in favor of en banc consideration. *See* FED. R. APP. P. 35(a). Judge H.A. Thomas did not participate in the deliberations or vote in this case.

The petition for rehearing en banc is **DENIED**.