

FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 8 2024

FOR THE NINTH CIRCUIT

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

ESTATE OF DANIEL HERNANDEZ, by
and through successors in interest, Manuel
Hernandez, Maria Hernandez and M.L.H.;
MANUEL HERNANDEZ, individually;
MARIA HERNANDEZ, individually,

Plaintiffs-Appellants,

and

M.L.H., a minor, by and through her
guardian ad litem Claudia Sughey Chavez,

Plaintiff,

v.

CITY OF LOS ANGELES; LOS ANGELES
POLICE DEPARTMENT; TONI
MCBRIDE,

Defendants-Appellees.

No. 21-55994

D.C. Nos. 2:20-cv-04477-SB-KS
2:20-cv-05154-DMG-KS

ORDER

M.L.H., a minor, by and through her
guardian ad litem Claudia Sughey Chavez,

Plaintiff-Appellant,

and

ESTATE OF DANIEL HERNANDEZ, by
and through successors in interest, Manuel
Hernandez, Maria Hernandez and M.L.H.;
MANUEL HERNANDEZ, individually;
MARIA HERNANDEZ, individually,

Plaintiffs,

v.

No. 21-55995

D.C. Nos. 2:20-cv-04477-SB-KS
2:20-cv-05154-DMG-KS

CITY OF LOS ANGELES; LOS ANGELES
POLICE DEPARTMENT; TONI
MCBRIDE,

Defendants-Appellees.

MURGUIA, Chief Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that this case be reheard en banc pursuant to Federal Rule of Appellate Procedure 35(a) and Circuit Rule 35-3. The three-judge panel opinion is vacated.

Judge Ikuta did not participate in the deliberations or vote in this case.