

**FOR PUBLICATION**

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

SANDEEP KUMAR,

*Petitioner,*

v.

MERRICK B. GARLAND, Attorney  
General,

*Respondent.*

No. 23-308

Agency No.  
A216-274-852

ORDER

Before: Evan J. Wallach, \* Jacqueline H. Nguyen, and  
Patrick J. Bumatay, Circuit Judges.

Filed January 17, 2025

Order

---

\* The Honorable Evan J. Wallach, United States Senior Circuit Judge  
for the Federal Circuit, sitting by designation.

**SUMMARY\*\***

---

**Immigration**

The panel issued an order withdrawing the opinion and dissent filed on August 2, 2024; replacing it with a memorandum disposition and dissent; and denying as moot a petition for panel rehearing.

---

**ORDER**

The opinion filed on August 2, 2024 (Dkt. No. 22) and published at 110 F.4th 1149 (2024), is withdrawn. It may not be cited as precedent to any court. A memorandum disposition resolving this matter will be filed concurrently with this order.

The memorandum disposition reflects the following changes to the withdrawn opinion:

On page 6, lines 9–10, delete: <Kumar was found credible, so his statements are taken as true. *See Kaur*, 986 F.3d at 1221. >

On page 12, lines 10–11, delete: <we recognize that Kumar credibly testified that >

---

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

On page 12, lines 12–13, delete: <Based on  
Kumar’s testimony, >

The petition for panel rehearing (Dkt. No. 27), filed on October 16, 2024, is denied as moot. No further petitions for rehearing or rehearing en banc may be filed.