

FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 14 2025

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JESUS RAMIRO GOMEZ, AKA Hunter,

Defendant - Appellant.

No. 23-435

D.C. No.

8:20-cr-00171-JVS-FWS-5

Central District of California,

Santa Ana

ORDER

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 40(c) and Circuit Rule 40-3. The three-judge panel opinion is vacated.

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