

FOR PUBLICATION

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

RAFAEL DIAZ-RODRIGUEZ,

Petitioner,

v.

PAMELA BONDI, Attorney General,

Respondent.

No. 13-73719

Agency No.
A093-193-920

ORDER

Filed May 14, 2025

Before: Mary H. Murguia, Chief Judge, and M. Margaret McKeown, Kim McLane Wardlaw, Ronald M. Gould, Consuelo M. Callahan, Milan D. Smith, Jr., Sandra S. Ikuta, Daniel P. Collins, Patrick J. Bumatay, Lucy H. Koh and Gabriel P. Sanchez, Circuit Judges.

Order

SUMMARY*

Immigration

The en banc court filed an order 1) terminating en banc proceedings; 2) stating that the case remains in abeyance pending resolution of Petitioner’s motion to reopen with the Board of Immigration Appeals and that, after the abeyance is lifted, the case will be reassigned to a randomly selected three-judge panel; and 3) relinquishing priority over the question whether a conviction for child endangerment under California Penal Code § 273a(a) is “a crime of child abuse, child neglect, or child abandonment” under 8 U.S.C. § 1227(a)(2)(E)(i) in light of *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024).

ORDER

En banc proceedings are terminated. This case remains in abeyance pending the resolution of Petitioner’s motion to the Board of Immigration Appeals to reopen his case. After the abeyance is lifted, this case is to be reassigned to a three-judge panel that will be randomly selected. We relinquish priority over the disposition of the question whether a conviction for child endangerment under California Penal Code § 273a(a) is “a crime of child abuse, child neglect, or child abandonment” under 8 U.S.C. § 1227(a)(2)(E)(i) in

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

light of *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024).