

FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 11 2025

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOHN HOLCOMB,

Defendant - Appellant.

No. 23-469

D.C. No.

2:21-cr-00075-RSL-1

Western District of Washington,
Seattle

ORDER

Before: GRABER and SUNG, Circuit Judges, and RAKOFF, District Judge.*

The Opinion filed March 27, 2025, and appearing at 132 F.4th 1118 (9th Cir. 2025), is withdrawn. It may not be cited as precedent by or to this court or any district court of the Ninth Circuit. The court will file a new opinion in due course. Because the court's opinion is withdrawn, the petition for rehearing en banc is DENIED as moot. Once a new opinion is filed, further petitions for rehearing and rehearing en banc may be filed.

* The Honorable Jed S. Rakoff, United States District Judge for the Southern District of New York, sitting by designation.