

FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 3 2026

FOR THE NINTH CIRCUIT

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

JERRY LEE KING,

Plaintiff - Appellant,

v.

R. VILLEGAS; P. CRUZ; J. CURRY,

Defendants - Appellees.

No. 23-1713

D.C. No.

1:17-cv-00676-JLT-EPG

Eastern District of California,

Fresno

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.