

FILED

SEP 26 2016

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

FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

**MELVIN MARTINEZ-LOPEZ, AKA
Jorge Lopez, AKA Melvin Miscael
Martinez, AKA Miguel Angel
Rodriguez, AKA Manuel Rodriguez-
Pena,**

Defendant-Appellant.

No. 14-50014

D.C. No.

2:12-cr-00973-ABC-1

Central District of California,
Los Angeles

ORDER

THOMAS, Chief Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that this case be heard en banc pursuant to Federal Rule of Appellate Procedure 35(a) and Circuit Rule 35-3.

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