

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JAN 15 2019

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

WILLIAM MAURICE SMITH,

Defendant-Appellant.

No. 16-30210

D.C. No.

1:15-cr-00015-SPW-1

District of Montana,
Billings

ORDER

*mandate 23
of
Jan*

Before: WARDLAW and OWENS, Circuit Judges, and MÁRQUEZ,* District Judge.

Judges Wardlaw and Owens vote to deny the petition for rehearing and rehearing en banc, and Judge Márquez so recommends.

The full court has been advised of the petition for rehearing en banc, and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App.

P. 35.

The petition for rehearing and rehearing en banc is therefore **DENIED**.

* The Honorable Rosemary Márquez, United States District Judge for the District of Arizona, sitting by designation.