

**FILED**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

JAN 2 2019

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

E. V.,

Plaintiff-Appellant,

v.

EUGENE H. ROBINSON, Jr., Lieutenant  
Colonel, U.S. Marine Corps, in his capacity  
as Military Judge and DAVID A.  
MARTINEZ, Sergeant, U.S. Marine Corps.,  
as Indispensable Party,

Defendants-Appellees.

No. 16-16975

D.C. No.  
2:16-cv-01973-JAM-CKD

ORDER

Before: SILER,\* PAEZ, and IKUTA, Circuit Judges.

The petition for panel rehearing is DENIED. The petition for rehearing en banc was circulated to the judges of the court, and no judge requested a vote for en banc consideration. Fed. R. App. P. 35. The petition for rehearing en banc is DENIED.

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\* The Honorable Eugene E. Siler, United States Circuit Judge for the U.S. Court of Appeals for the Sixth Circuit, sitting by designation.