

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JUL 24 2019

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

JOSHUA JAKE WHITE,

Petitioner-Appellee,

v.

MARK NOOTH,

Respondent-Appellant.

No. 18-35562

D.C. No. 2:16-cv-00323-SB

District of Oregon,

Pendleton

ORDER

Before: N.R. SMITH, WATFORD, and R. NELSON, Circuit Judges.

The panel has voted to deny the petition for panel rehearing. Judge Watford and Judge R. Nelson have voted to deny the petition for rehearing en banc, and Judge N.R. Smith has so recommended.

The full court was 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 panel rehearing and the petition for rehearing en banc are
DENIED.