

FILED

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

SEP 3 2019

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

JOSEPH NJUGUNA NJONGE,

Petitioner-Appellant,

v.

MARGARET GILBERT, Superintendent,

Respondent-Appellee.

No. 18-35396

D.C. No. 2:17-cv-01035-RSM
Western District of Washington,
Seattle

ORDER

Before: O'SCANNLAIN, KLEINFELD, and FRIEDLAND, Circuit Judges.

A majority of the panel has voted to deny the petition for panel rehearing.

Judge O'Scannlain and Judge Friedland voted to deny the petition, and Judge Kleinfeld voted to grant the petition. 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 panel rehearing and rehearing en banc is DENIED.