

# APPENDIX B

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

JAN 24 2022

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

KIELAN BRETT FRANKLIN,

Defendant-Appellant.

No. 20-30136

D.C. No.  
6:19-cr-00006-SEH-1  
District of Montana,  
Helena

ORDER

Before: MURGUIA, Chief Judge, and BOGGS\* and BERZON, Circuit Judges.

Judge Murguia has voted to deny the petition for rehearing en banc, and Judge Boggs so recommends. Judge Berzon has voted to grant the petition for rehearing en banc.

The petition for rehearing en banc has been circulated to the full court, and no judge of the court has requested a vote on the petition for rehearing en banc. Fed. R. App. P. 35.

Appellant's Petition for Rehearing En Banc is DENIED (Doc. 34).

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\* The Honorable Danny J. Boggs, United States Circuit Judge for the U.S. Court of Appeals for the Sixth Circuit, sitting by designation.