

Appendix B

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

APR 24 2023

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

FRANCISCO DARIO MORA,

Defendant-Appellant.

No. 21-10147

D.C. No.

4:19-cr-03289-SHR-MSA-1

District of Arizona,

Tucson

ORDER

Before: WARDLAW and BUMATAY, Circuit Judges, and ZOUHARY,* District Judge.

The panel has unanimously voted to deny Appellant's petition for panel rehearing. Judge Bumatay has voted to deny Appellant's petition for rehearing en banc, and Judge Zouhary has so recommended. Judge Wardlaw has voted to grant Appellant's petition for rehearing en banc.

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.

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

* The Honorable Jack Zouhary, United States District Judge for the Northern District of Ohio, sitting by designation.