

FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 25 2021

FOR THE NINTH CIRCUIT

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

VIRGINIA DUNCAN; RICHARD LEWIS;
PATRICK LOVETTE; DAVID
MARGUGLIO; CHRISTOPHER
WADDELL; CALIFORNIA RIFLE &
PISTOL ASSOCIATION, INC., a California
corporation,

Plaintiffs-Appellees,

v.

XAVIER BECERRA, in his official capacity
as Attorney General of the State of
California,

Defendant-Appellant.

No. 19-55376

D.C. No.

3:17-cv-01017-BEN-JLB

Southern District of California,
San Diego

ORDER

THOMAS, Chief Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that this case be reheard en banc pursuant to Federal Rule of Appellate Procedure 35(a) and Circuit Rule 35-3. The three-judge panel opinion is vacated.

Judges Owens and Bress did not participate in the deliberations or vote in this case.