

**FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

JOHNNY ROY FOOTRACER,  
Defendant-Appellant.

No. 97-10528

D.C. No.  
CR-96-00404-1-  
ROS

ORDER  
WITHDRAWING  
OPINION

Filed June 6, 2001

Before: Harry Pregerson, Melvin Brunetti, and  
Michael Daly Hawkins, Circuit Judges.

---

**ORDER**

The opinion filed August 31, 1999, published at 189 F.3d 1058 (9th Cir. 1999), is withdrawn. An unpublished memorandum is simultaneously filed.

7073