

JAN 29 2008

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff - Appellee,</p> <p>v.</p> <p>MARSHALL EDWIN HOME,</p> <p>Defendant - Appellant.</p>

No. 07-15264

D.C. Nos. CV-03-00493-FRZ
CR-02-00021-FRZ

District of Arizona,
Tucson

ORDER

Before: D.W. NELSON, REINHARDT, and BEA, Circuit Judges.

The unpublished memorandum disposition filed on December 20, 2007, is hereby amended. The amended memorandum disposition is being filed concurrently with this order.

With these amendments, the panel has unanimously voted to deny the petition for panel rehearing. Judges Reinhardt and Bea voted to deny the petition for rehearing en banc, and Judge D.W. Nelson so recommends.

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

The petition for rehearing and the petition for rehearing en banc are DENIED.

No further petition for rehearing by the panel or en banc will be entertained.

IT IS SO ORDERED.