

**FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

DEODERICO POLINTAN SAN PEDRO, <i>Petitioner,</i>
v.
JOHN ASHCROFT, Attorney General, <i>Respondent.</i>

No. 02-74367

Agency No.  
A41-250-336

**ORDER**  
**WITHDRAWING**  
**OPINION**

Filed November 8, 2004

Before: Dorothy W. Nelson, Alex Kozinski, and  
Susan P. Graber, Circuit Judges.

---

**ORDER**

The opinion filed June 23, 2004, and appearing at 372 F.3d 1118 (9th Cir. 2004) is withdrawn. It may not be cited as precedent by or to this court or any district court of the Ninth Circuit.

---

PRINTED FOR  
ADMINISTRATIVE OFFICE—U.S. COURTS  
BY WEST—SAN FRANCISCO

The summary, which does not constitute a part of the opinion of the court, is copyrighted  
© 2004 by West, a Thomson Company.