

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

FEB 05 2009

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GENARO ALVARADO-MARTINEZ,  
also known as Ismael Serratos,

Defendant - Appellant.

No. 07-50492

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

D.C. No. CR-07-00084-SGL  
Central District of California,  
Los Angeles

ORDER

Before: BRIGHT,\* TROTT and HAWKINS, Circuit Judges.

The Memorandum disposition filed December 22, 2008, is WITHDRAWN. The superseding Per Curiam Opinion shall be filed concurrently with this Order. The pending Order granting an extension of time to file a petition for rehearing and rehearing en banc is now moot. The parties may file petitions as to the Per Curiam Opinion for rehearing and rehearing en banc in accordance with the Federal Rules of Appellate Procedure.

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\* The Honorable Myron H. Bright, Senior United States Circuit Judge for the Eighth Circuit, sitting by designation.