**FILED** 

## UNITED STATES COURT OF APPEALS

APR 24 2009

## FOR THE NINTH CIRCUIT

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

JAIJIT SINGH,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 05-72725

Agency No. A079-519-896

**ORDER** 

Before: HAWKINS, RAWLINSON, and M. SMITH, Circuit Judges.

The memorandum disposition filed on November 4, 2008, is withdrawn. A replacement memorandum disposition will be filed concurrently with this order.

The petition for panel rehearing is denied as moot.