

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

NOV 19 2024

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

ROCHELLE SCOTT, individually, and as
co-special administrator of the estate of ROY
ANTHONY SCOTT; FREDRICK WAID, as
co-special administrator of the estate of ROY
ANTHONY SCOTT,

Plaintiffs-Appellees,

v.

KYLE SMITH; et al.,

Defendants-Appellants.

No. 23-15480

D.C. No.

2:20-cv-01872-RFB-EJY

District of Nevada,

Las Vegas

ORDER

Before: DESAI and DE ALBA, Circuit Judges*

Judge Desai and Judge de Alba have voted to deny the petition for panel rehearing and rehearing en banc. The full court has been advised of the petition for rehearing en banc, and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35.

The petition for rehearing and rehearing en banc is **DENIED**. (Dkt. 37).

* The Honorable Philip S. Gutierrez, United States District Judge for the Central District of California, sitting by designation, has retired. The remaining two judges decide this matter as a quorum. General Order 3.2(h).