

FOR PUBLICATION

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

SANDEEP KUMAR,

Petitioner,

v.

MERRICK B. GARLAND, Attorney
General,

Respondent.

No. 23-308

Agency No.
A216-274-852

ORDER

Before: Evan J. Wallach, * Jacqueline H. Nguyen, and
Patrick J. Bumatay, Circuit Judges.

Filed January 17, 2025

Order

* The Honorable Evan J. Wallach, United States Senior Circuit Judge
for the Federal Circuit, sitting by designation.

SUMMARY**

Immigration

The panel issued an order withdrawing the opinion and dissent filed on August 2, 2024; replacing it with a memorandum disposition and dissent; and denying as moot a petition for panel rehearing.

ORDER

The opinion filed on August 2, 2024 (Dkt. No. 22) and published at 110 F.4th 1149 (2024), is withdrawn. It may not be cited as precedent to any court. A memorandum disposition resolving this matter will be filed concurrently with this order.

The memorandum disposition reflects the following changes to the withdrawn opinion:

On page 6, lines 9–10, delete: <Kumar was found credible, so his statements are taken as true. *See Kaur*, 986 F.3d at 1221. >

On page 12, lines 10–11, delete: <we recognize that Kumar credibly testified that >

** This summary constitutes no part of the opinion of the court. It has been prepared by court staff for the convenience of the reader.

On page 12, lines 12–13, delete: <Based on
Kumar’s testimony, >

The petition for panel rehearing (Dkt. No. 27), filed on October 16, 2024, is denied as moot. No further petitions for rehearing or rehearing en banc may be filed.