

FILED

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

APR 08 2015

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

LOGAN R. VOLPICELLI,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA,

Defendant - Appellee.

No. 12-15029

D.C. No. 3:10-cv-00548-RCJ-RAM  
District of Nevada,  
Reno

ORDER

Before: W. FLETCHER and WATFORD, Circuit Judges, and DUFFY,\* District Judge.

Judge W. Fletcher and Judge Watford vote to deny the petition for rehearing en banc, and Judge Duffy so recommends.

The full court has been advised of the petition for rehearing en banc, and no judge requested a vote on whether to rehear the matter en banc. Fed. R. App. P.

35.

The petition for rehearing en banc, filed March 16, 2015, is DENIED.

---

\* The Honorable Kevin Thomas Duffy, District Judge for the U.S. District Court for the Southern District of New York, sitting by designation.