

**FILED**

**APR 05 2006**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

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

**JOHN GILMORE,**

**Plaintiff - Appellant,**

**v.**

**ALBERTO R. GONZALES, Attorney  
General, in his official capacity as  
Attorney General of the United States; et  
al.,**

**Defendants - Appellees.**

**No. 04-15736**

**D.C. No. CV-02-03444-SI  
Northern District of California,  
San Francisco**

**ORDER**

**Before: TROTT, T.G. NELSON, and PAEZ, Circuit Judges.**

**Appellant's petition for panel rehearing is DENIED.**

**The full court has been advised of Appellant's petition for rehearing en banc, and no active judge of the court has requested a vote on whether to rehear the case en banc. Fed. R. App. P. 35(b). Therefore the petition for rehearing en banc is DENIED.**