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2009 Decisions

Opinions of the United  
States Court of Appeals  
for the Third Circuit

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1-14-2009

## Garcia v. Atty Gen USA

Precedential or Non-Precedential: Precedential

Docket No. 07-2164

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 07-2164

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ROSALBA ROA GARCIA,  
Petitioner

v.

ATTORNEY GENERAL OF THE UNITED STATES,  
Respondent

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ON PETITION FOR REVIEW OF AN ORDER OF  
THE BOARD OF IMMIGRATION APPEALS  
(BIA No. A74-872-805)

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**ORDER**

On October 28, 2008, the Court issued an opinion in the above entitled petition for review. Judge Fuentes had submitted a dissenting opinion for filing but due to an error in processing, the dissenting opinion was not filed with the majority opinion.

Accordingly, at the direction of the Court the opinion and judgment filed on October 28, 2008 are hereby vacated. The Clerk shall docket the revised opinion and judgment. It is noted that the Respondent has filed a petition for panel rehearing and rehearing en banc. Within 10 days from entry of the revised opinion and judgment, the Respondent may file a supplement to the petition for rehearing or inform the Clerk in writing that supplementation is not required and that Respondent shall rely on the petition for rehearing as originally submitted.

Action by the Court on the petition for rehearing is deferred pending a response by the Respondent in accordance with this order.

For the Court,

*Marcia M. Waldron*

Marcia M. Waldron, Clerk

Dated: January 14, 2009