

FILED

UNITED STATES COURT OF APPEALS

OCT 15 2018

FOR THE NINTH CIRCUIT

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

CAROL COGHLAN CARTER, next friend of A.D., C.C., L.G. and C.R., minors next friend of A.D. next friend of C.C. next friend of L.G. next friend of C.R.; UNKNOWN PARTY, named as S.H., a married couple; UNKNOWN PARTY, named as J.H., a married couple; UNKNOWN PARTY, named as K.C., a married couple; for themselves and on behalf of a class of similarly-situated individuals; UNKNOWN PARTY, named as M.C., a married couple; for themselves and on behalf of a class of similarly-situated individuals; RONALD FEDERICI, Dr., next friend of A.D., C.C., L.G. and C.R., minors next friend of A.D. next friend of C.C. next friend of L.G. next friend of C.R.; UNKNOWN PARTY, P.R., a married couple; for themselves and on behalf of a class of similarly-situated individuals; UNKNOWN PARTY, named as K.R., a married couple; for themselves and on behalf of a class of similarly-situated individuals,

Plaintiffs-Appellants,

v.

JOHN TAHSUDA, in his official capacity as Assistant Secretary of Bureau of Indian Affairs; RYAN K. ZINKE, in his official capacity as Secretary of Interior, United States Department of the Interior;

No. 17-15839

D.C. No. 2:15-cv-01259-NVW
District of Arizona,
Phoenix

ORDER

GREGORY MCKAY, named as Gregory A. McKay, in his official capacity as Director of Arizona Department of Child Safety,

Defendants-Appellees,

GILA RIVER INDIAN COMMUNITY;
NAVAJO NATION,

Intervenor-Defendants-
Appellees.

Before: SCHROEDER, EBEL,* and OWENS, Circuit Judges.

Judge Owens has voted to deny Plaintiffs-Appellants' petition for rehearing en banc, and Judge Schroeder has so recommended.

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.

Plaintiffs-Appellants' petition for rehearing en banc is denied.

* The Honorable David M. Ebel, United States Circuit Judge for the U.S. Court of Appeals for the Tenth Circuit, sitting by designation.