

United States Court of Appeals For the First Circuit

No. 16-2089

UNITED STATES

Appellee

v.

JEFFRI DAVILA-REYES

Defendant - Appellant

No. 16-2143

UNITED STATES

Appellee

v.

JOSE REYES-VALDIVIA

Defendant - Appellant

Before

Howard, Chief Judge,
Lipez and Thompson, Circuit Judges.

ORDER OF COURT

Entered: March 17, 2021

The panel has concluded that the en banc decision in United States v. Aybar-Ulloa, 987 F.3d 1 (1st Cir. 2021) (en banc), has diminished the force of this circuit's precedent on the protective principle such that the panel now deems it appropriate to address appellants' contention that the government improperly deemed their vessel stateless.

The petitions for panel rehearing are therefore granted, the prior decision of the panel is vacated, and a new panel opinion will issue in due course.

By the Court:

Maria R. Hamilton, Clerk

cc:

Thomas F. Klumper

Mariana E. Bauza Almonte

Nicholas G. Smith

Raymond Luis Sanchez-Maceira

Vivianne Marie Marrero-Torres

Eric A. Vos

Liza Lorraine Rosado-Rodriguez

Franco L. Perez-Redondo