

ORIGINAL  
NOT FOR PUBLICATION

**FILED**

UNITED STATES COURT OF APPEALS

FEB 16 2005

FOR THE NINTH CIRCUIT

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

In re: VICKIE LYNN MARSHALL,

Debtor,

-----  
E. PIERCE MARSHALL,

Plaintiff-counter-defendant - Appellant,

v.

VICKIE LYNN MARSHALL,

Defendant-counter-claimant - Appellee.

No. 02-56002, 02-56067

D.C. No. CV-01-00097-DOC  
Central District of California,  
Santa Ana

ORDER

Before: BEEZER, KLEINFELD, and PAEZ, Circuit Judges.

The panel has voted to deny the petition for panel rehearing. Judges Kleinfeld and Paez vote to deny the petition for rehearing en banc and Judge Beezer so recommends.

The full court has been advised of the petition for rehearing en banc and no judge has requested a vote to rehear the matter en banc. Fed. R. App. P. 35.

The petition for panel rehearing and the petition for rehearing en banc are DENIED.