

FILED

UNITED STATES COURT OF APPEALS

FEB 02 2012

FOR THE NINTH CIRCUIT

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

WILEY S. DRAKE; MARKHAM
ROBINSON,

Plaintiffs - Appellants,

and

Ambassador ALAN KEYES, Ph. D.;
Captain PAMELA BARNETT; Lieutenant
Colonel RICHARD NORTON
BAUERBACH; Captain ROBIN D.
BIRON; Colonel JOHN D. BLAIR; Mr.
DAVID L. BOSLEY; Ms. LORETTA G.
BOSLEY; Captain HARRY G. BUTLER;
Representative GLENN CASADA,
Tennessee; JENNIFER LEAH CLARK;
Representative TIMOTHY
COMERFORD, New Hampshire;
CHARLES CRUSEMIRE; Representative
CYNTHIA DAVIS, Missouri; Chief
Warrant Officer THOMAS S.
DAVIDSON; MATTHEW MICHAEL
EDWARDS; Lieutenant JASON FREESE;
Mr. KURT C. FUQUA; Officer CLINT
GRIMES; JULLIETT IRELAND; D.
ANDREW JOHNSON; ISRAEL D.
JONES; State Representative TIMOTHY
JONES, Esq., Missouri; Commander
DAVID FULLMER LAROQUE; GAIL
LIGHTFOOT; MIL Officer LITA M.
LOTT, U.S. Army; Major DAVID
GRANT MOSBY; MSGT STEVEN KAY
NEUENSCHWANDER; State
Representative FRANK NICELEY,

No. 09-56827

D.C. No. 8:09-cv-00082-DOC-AN
Central District of California,
Santa Ana

ORDER

RECEIVED
CLERK, U.S. DISTRICT COURT
FEB - 2 2012
CENTRAL DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY

Tennessee; Retired Senator JERRY O'NEIL, Montana; SFC E7 ROBERT LEE PERRY; Colonel HARRY RILEY; Sergeant JEFFREY WAYNE ROSNER; MSGT JEFFREY SCHWILK; Captain DAVID SMITHEY; Lieutenant Commander JOHN BRUCE STEIDEL; Commander DOUGLAS EARL STOEPPELWERTH; THOMAS J. TAYLOR; Representative ERIC SWAFFORD, Tennessee; Captain NEIL B. TURNER; RICHARD E. VENABLE; LCDR JEFF GRAHAM WINTHROPE; Lieutenant Colonel MARK WRIGGLE,

Plaintiffs,

v.

BARACK HUSSEIN OBAMA; MICHELLE L.R. OBAMA; HILLARY RODHAM CLINTON, Secretary of State; ROBERT M. GATES, Secretary of Defense; JOSEPH R. BIDEN, Vice President and President of the Senate,

Defendants - Appellees.

Before: PREGERSON, FISHER, and BERZON, Circuit Judges.

The petition for rehearing en banc filed by Plaintiffs-Appellants Alan Keyes et al. (Dkt. No. 61) is DENIED.