

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 07-1925

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ZAIM TAHIRAJ-DAUTI;  
MERITA TAHIRAJ-MAMO,

Petitioners,

v.

ATTORNEY GENERAL OF THE UNITED STATES,

Respondent.

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On Petition for Review from an  
Order of the Board of Immigration Appeals  
(Board Nos. A76-821-259 & A76-821-263)  
Immigration Judge: Honorable Roger Pauley

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**Present:** CHAGARES and HARDIMAN, *Circuit Judges*, and ELLIS,<sup>1</sup> *District Judge*

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**SUR PETITION FOR PANEL REHEARING**

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The judges who participated in the decision of this Court having considered the petition for rehearing filed by Petitioners and the brief of amici curiae American Civil Liberties Union, American Civil Liberties Union of New Jersey, and American Civil Liberties Union of Southern California in the above-entitled case, panel rehearing is hereby GRANTED for the reasons stated by amici. The non-precedential opinion filed on

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<sup>1</sup>The Honorable Thomas Selby Ellis, III, Senior District Judge for the United States District Court for the Eastern District of Virginia, sitting by designation.

January 30, 2009 is hereby VACATED and the attached opinion is filed forthwith. The petition for panel rehearing submitted by Petitioners is hereby DISMISSED as moot because of our grant of panel rehearing based on the brief of amici.

By the Court,

/s/ Thomas M. Hardiman  
Circuit Judge

Dated: April 29, 2009