

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 05-5175

ARAMAYO ROY ESCOBAR, aka Roy A. Escobar,
Petitioner

v.

ATTORNEY GENERAL OF THE UNITED STATES,
Respondent

On Petition for Review of an Order
of the Board of Immigration Appeals
Agency No. A43 741 092
on November 16, 2005
Grace A. Sease, Immigration Judge

Present: BARRY, CHAGARES and COWEN, Circuit Judges

SUR PETITION FOR PANEL REHEARING

The petition for rehearing filed by Respondent having been submitted to the judges who participated in the decision of this Court, is GRANTED. The per curiam opinion filed September 5, 2006 is hereby VACATED and the case held C.A.V. pending the decisions of the Supreme Court in Lopez v. Gonzales (No. 05-547) and Toledo-Flores v. United States (No. 05-7664).

BY THE COURT:

/s/ Maryanne Trump Barry
Circuit Judge

DATED: November 2, 2006