
ORDER

It is ordered that the opinion filed on February 15, 2001, be amended to delete the word "negligently" in the first line of the opinion, so that the first sentence now states:

We consider in this appeal whether discharging a firearm in violation of 2709.2 To7a

ORDER

It is ordered that the first sentence of the opinion of _____ THOMAS, Circuit Judge, be amended to read: (ORDER) We consider in this appeal whether discharging a firearm in violation of 2709.2 To7a

custody in a sheriff's honors camp, followed by three years' probation. Valerio-Ochoa has no other criminal record.

On December 15, 1995, the Immigration and Naturalization

ifornia Penal Code § 246.3 does not qualify as a predicate

duct; only "willful" discharges of firearms violate the statute, not negligent discharges.

The reach of 8 U.S.C. § 1227 (a)(2)(C) is certainly broad enough to include such a statute. It provides, in relevant part, that "[a]ny alien who at any time after admission is convicted

plain language of the statute does so as well: it includes a con-