

September 8, 2009

UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT  
Elisabeth A. Shumaker  
Clerk of Court

EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

Plaintiff - Appellee,

v.

OUTBACK STEAKHOUSE OF  
FLORIDA, INC.; OS RESTAURANT  
SERVICES, INC., d/b/a Outback  
Steakhouse,

Defendants - Appellees,

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JONATHAN LEE RICHES,

Interested Party - Appellant.

No. 09-1333  
(D.C. No. 1:06-CV-01935-CMA-KLM)  
(D. Colorado)

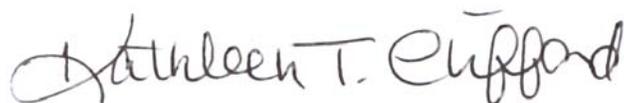
**ORDER**

In an August 13, 2009 Order, Appellant Jonathan Riches was directed to show cause within 14 days of the date on the order, *i.e.* by August 27, 2009, why this appeal should not be dismissed for failure to prepay the entire filing fees as required by 28 U.S.C. § 1915(g) or why the provisions of the Prison Litigation Reform Act do not apply to the appeal. Appellant Riches failed to respond.

Accordingly, the appeal is **DISMISSED** for failure to prosecute. *See* 10th Cir. R.

42.1. The mandate shall issue forthwith.

Entered for the Court,  
Elisabeth A. Shumaker, Clerk

A handwritten signature in black ink that reads "Kathleen T. Clifford". The signature is written in a cursive style with a large initial 'K' and a distinct 'T'.

Kathleen T. Clifford  
Attorney - Deputy Clerk