

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

July 2, 2009
Elisabeth A. Shumaker
Clerk of Court

PETER R. CHAVEZ,
Plaintiff - Appellant,

v.

MICHAEL J. ASTRUE,
Defendant - Appellee.

No. 09-6084
(W. Dist. Okla. No. 5:07-CV-01353-C)

ORDER

On May 7, 2009, the court entered an order directing the appellant to show cause on or before June 8, 2009 why the appeal should not be dismissed due to appellant's failure to object to the magistrate judge's report and recommendation. No response was filed.

On May 20, 2009, a deficiency notice was sent to appellant advising that a transcript order form, entry of appearance, and payment of the appellate filing fee were overdue. Appellant was given until June 1, 2009 to cure these defects.

When no action was forthcoming, on June 15, 2009 the court sent a second deficiency notice to the appellant regarding the failure to pay the appellate filing fee and to file a response to the show cause order, an entry of appearance, and a transcript order form. Appellant was allowed until June 25, 2009 to comply with the directive. No action

has been taken.

Appellant did not pay the appellate filing fee or file a motion for leave to proceed in forma pauperis or file a motion for extension of time as required by the rules, even though he has been given deadlines of May 8, June 1, and then June 25, 2009 within which to do so. This appeal is dismissed pursuant to Tenth Cir. R. 3.3(B).

Entered for the Court

A handwritten signature in black ink, reading "Elisabeth A. Shumaker" with a long horizontal flourish extending to the right.

ELISABETH A. SHUMAKER
Clerk of Court