

UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT

August 5, 2010

Elisabeth A. Shumaker  
Clerk of Court

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

EDUARDO SOTO-DIARTE,

Defendant - Appellant.

No. 10-3152

(D.C. No. 2:06-CR-20142-JWL-3)

(D. Kan.)

---

**ORDER**

---

This matter is before the court on the Appellant's Motion for Voluntarily Dismissal of Appeal. The motion to dismiss is **GRANTED**. See 10th Cir. R. 27.3(A)(9) and 10th Cir. R. 46.3(B). The appeal is **DISMISSED**. Each party shall bear its own costs on appeal. A certified copy of this order shall stand as and for the mandate of the court.

Entered for the Court,



ELISABETH A. SHUMAKER, Clerk