

UNITED STATES COURT OF APPEALS February 24, 2010  
FOR THE TENTH CIRCUIT Elisabeth A. Shumaker  
Clerk of Court

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UNITED STATES OF AMERICA,  
  
Plaintiff - Appellee,  
  
v.  
  
MICHAEL DELEVAN ENGLER,  
  
Defendant - Appellant.

No. 10-5001  
(D.C. No. 4:05-CR-00104-HE-1)

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**ORDER**

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The captioned appeal is dismissed for lack of prosecution pursuant to 10th Cir. R.  
42.1.  
  
A copy of this order shall stand as and for the mandate of this court.

Entered for the Court,  
  
  
  
ELISABETH A. SHUMAKER, Clerk