

**FILED**

**United States Court of Appeals  
Tenth Circuit**

**UNITED STATES COURT OF APPEALS**

**FOR THE TENTH CIRCUIT**

**December 4, 2012**

**Elisabeth A. Shumaker  
Clerk of Court**

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LUCIA FANCHER, individually and as  
personal representative of the estate of  
Nick Dominguez,

Plaintiff – Appellee,  
(formerly, Cross-Appellant),

v.

JOHNNY BARRIENTOS, in his individual  
and official capacity, et al.,

Defendants – Appellants,  
(formerly, Cross-Appellees).

No. 12-2115  
(also docketed in 12-2114)  
(D.C. No. 2:11-CV-00118-LH-LAM)

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**ORDER**

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The “Unopposed Motion to Dismiss Cross-Appeal” filed by Lucia Fancher is granted pursuant to Fed. R. App. P. 42(B). This is a dismissal of Case No. 12-2115, the cross-appeal by Fancher, only. Case No. 12-2114, the principal appeal, will proceed forward. The appellants have already filed their opening brief (9/17/12), Fancher has filed a response brief (10/22/12), and the appellants have filed a reply brief (11/21/12).

There being no additional briefing necessary, any previous orders relating to briefing are vacated. Case No. 12-2114 will be submitted to the court. The mandate

shall issue forthwith in Case No. 12-2115.

Entered for the Court  
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in black ink, appearing to read "Douglas E. Cressler". The signature is written in a cursive style with a large initial "D" and a long horizontal stroke extending to the right.

by: Douglas E. Cressler  
Chief Deputy Clerk