

**FILED**

**United States Court of Appeals  
Tenth Circuit**

**UNITED STATES COURT OF APPEALS**

**May 6, 2013**

**FOR THE TENTH CIRCUIT**

**Elisabeth A. Shumaker  
Clerk of Court**

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MICHAEL AGUIRRE,

Defendant - Appellant.

No. 12-2138  
(D.C. No. 1:11-CR-03101-LH-1)

**ORDER**

Appellant's motion to dismiss is granted pursuant to Fed. R. App. P. 42(b) and 10th Cir. R. 46.3(B).

A certified copy of this order shall stand as and for the mandate of the court.

Entered for the Court



ELISABETH A. SHUMAKER, Clerk