

**FILED**

**United States Court of Appeals  
Tenth Circuit**

**UNITED STATES COURT OF APPEALS**

**FOR THE TENTH CIRCUIT**

**November 6, 2012**

**Elisabeth A. Shumaker  
Clerk of Court**

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DEREK RYAN SCHELL,

Petitioner - Appellant,

v.

MARVIN VAUGHN, Warden,

Respondent - Appellee.

No. 12-6278  
(D.C. No. 5:12-CV-00860-C)

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**ORDER**

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The captioned appeal was opened in error and is now administratively closed. The notice of appeal will be filed as an amended notice of appeal in 10<sup>th</sup> Circuit case number 12-6271, *Schell v. Vaughn*.

Entered for the Court



ELISABETH A. SHUMAKER, Clerk