

FILED

United States Court of Appeals  
Tenth Circuit

UNITED STATES COURT OF APPEALS

September 11, 2012

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker  
Clerk of Court

TERRY HARDAGE,

Plaintiff - Appellant,

v.

WAYNE HAGEN; SHELLY JENKINS;  
JESSICA HUNTER; RYAN LOOSLI,

Defendants - Appellees,

and

THE STATE OF OKLAHOMA;  
JARRARD GARRETT; MARY SMITH;  
MARY DOE; SEQUOYAH COUNTY;  
ROGER FULLER; GREG COX;  
GEORGE BORMANN; DENNIS  
THOMAS; RON LOCKHART; CINDY  
SMITH; A.J. HENSHAW; RYAN  
WRICK; SEQUOYAH COUNTY  
SHERIFF'S OFFICE,

Defendants.

No. 12-7051  
(D.C. No. 6:11-CV-00295-JHP)

**ORDER**

This court entered an order on July 26, 2012, giving the plaintiff 30 days in which to obtain a Fed. R. Civ. P. 54(b) certification or a final judgment from the district court. The order warned the plaintiff that failure to file a timely response may result in dismissal of this appeal without further notice. The plaintiff has failed to obtain either a Rule 54(b)

certification or a final judgment, and in fact has failed to request a certification from the district court.

Accordingly, this appeal is dismissed for failure to prosecute. *See* 10th Cir. R. 42.1.

Entered for the Court  
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in cursive script that reads "Ellen Rich Reiter".

by: Ellen Rich Reiter  
Jurisdictional Attorney