

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

February 21, 2014

**Elisabeth A. Shumaker
Clerk of Court**

JORGE D. MARTINEZ,

Petitioner - Appellant,

v.

CLAUD MAYES,

Respondent - Appellee.

No. 13-3279
(D.C. No. 5:13-CV-3135-RDR)

ORDER

The captioned appeal is dismissed for lack of prosecution pursuant to 10th Cir. R. 3.3(B) and 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