

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

August 1, 2014

**Elisabeth A. Shumaker
Clerk of Court**

KARL ERICH MEHNER; FRANCES JO
MEHNER,

Plaintiffs Counter Defendants -
Appellants,

v.

GERALD HASSELL; THE BANK OF
NEW YORK MELLON,

Defendants - Appellees,

and

ROBERT K. GOULDING; BARBARA M.
GOULDING,

Defendants Counterclaimants -
Appellees.

No. 14-2082
(D.C. No. 1:13-CV-01174-PJK-KBM)

ORDER

This matter is before the Court upon Appellants' failure to respond to the Court's May 22, 2014 order to show cause regarding the appealability of the district court's January 9, 2014 remand order. Appellants were initially directed to respond to the order to show cause by June 5, 2014. On June 27, 2014, after receiving no response from Appellants, the Clerk's Office issued a deficiency notice due to Appellants' failure to meet the June 6, 2014 deadline. That notice provided Appellants with an additional 14 days to submit their response. Nineteen days later, on July 16, 2014, Appellants

requested additional time to submit their response to the order to show cause. That same day, the Court granted Appellants an additional 14 days – until July 30, 2014 – to respond to the show cause order. The order granting that second extension warned Appellants – for the second time – that failure to submit a timely response would result in the dismissal of this appeal for failure to prosecute.

Appellants have failed to respond to the May 22, 2014 show cause order despite the aforementioned repeated extensions and warnings. Accordingly, the above-captioned appeal is dismissed for lack of prosecution pursuant to 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

A handwritten signature in black ink, appearing to read 'Chris Wolpert', written over a horizontal line.

by: Chris Wolpert
Chief Deputy Clerk