

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

July 14, 2016

Elisabeth A. Shumaker
Clerk of Court

KENNETH COUNCE,

Plaintiff - Appellant,

v.

RYAN WOLTING, Technical Kansas
State Trooper, Kansas Highway Patrol, et
al.,

Defendants - Appellees.

No. 16-3136
(D.C. No. 5:13-CV-03199-JTM)
(D. Kan.)

ORDER

The appellant did not file a response to this court's order of June 20, 2016. Accordingly, the appellant's response to the court's May 23, 2016 order is treated as a motion for voluntary dismissal pursuant to Federal Rule of Appellate Procedure 42(b). The appeal is dismissed pursuant to Rule 42(b). A copy of this order shall stand for and as the mandate of this court.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk



by: Ellen Rich Reiter
Jurisdictional Attorney