

May 15, 2008

UNITED STATES COURT OF APPEALS

Elisabeth A. Shumaker
Clerk of Court

TENTH CIRCUIT

HOWELL FRANKLIN ROBERTS, III,

Plaintiff - Appellant,

v.

MICA SIMPLEMAN, (Individual Capacity), Acting Parole Officer; JOE WHITE, (Individual Capacity), Acting Parole Officer Supervisor; CELESTE M. CDEBACA, (Individual Capacity), Acting A.H.O.; JAMES W. DIXON, (Individual Capacity), Acting Denver Parole Officer; RYAN McGINTY, (Individual Capacity), Acting Denver Police Officer; VERNE VINCENT, (Individual Capacity), Acting Parole Board Member; DEBORAH ALLEN, (Individual Capacity), Acting Parole Board Member; CHRISTINE MOSCHETTI, (Individual Capacity), Acting Time Comp Manager,

Defendants - Appellees.

No. 07-1331

D. Colo.

(D.C. No. 07-CV-1071-ZLW)

ORDER

On April 21, 2008 this court entered an order denying appellant's motion for leave to proceed without prepayment of fees and costs. It was further ordered that the full appellate filing fee must be paid by May 12, 2008 or the appeal would be dismissed. The filing fee has not been paid, therefore, this 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,

A handwritten signature in black ink, reading "Elisabeth A. Shumaker", with a long horizontal flourish extending to the right.

ELISABETH A. SHUMAKER, Clerk