

July 30, 2010

## UNITED STATES COURT OF APPEALS

Elisabeth A. Shumaker  
Clerk of Court

## FOR THE TENTH CIRCUIT

DONALD ALTON HARPER,

Plaintiff - Appellant,

v.

P. URBANO, P.A.; NORMAN S.  
ROSENTHAL, M.D.,

Defendants - Appellees.

No. 10-1245

(D.C. No. 1:07-CV-00750-REB-KMT)

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**ORDER**

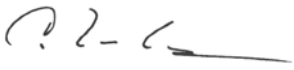
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On June 30, 2010, the court directed the appellant to pay the filing fee for this appeal within 21 days and advised him that failure to pay would result in dismissal of this appeal. The fee has not been paid. Therefore, this appeal is dismissed for lack of prosecution, pursuant to 10<sup>th</sup> Cir. R. 3.3 (B) and 10<sup>th</sup> Cir. R. 42.1.

To the extent the appendix submitted by the appellant includes an implied request for reconsideration, that request is denied as moot.

A copy of this order shall stand as and for the mandate of this court.

Entered for the Court  
ELISABETH SHUMAKER, Clerk of Court

by:   
Christine Van Coney  
Counsel to the Clerk