

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

October 16, 2013

**Elisabeth A. Shumaker
Clerk of Court**

In re: OMAR A. DUWAIK,

Debtor.

OMAR A. DUWAIK,

Appellant,

v.

ADAMS BANK & TRUST,

Appellee.

No. 13-1388
(BAP. No. 13-047-CO)

ORDER

This matter is before the court on “Appellant’s Unopposed Motion to Dismiss Appeal. Appellant seeks to voluntarily dismiss this appeal pursuant to Fed. R. App. P. 42(b). Due to a clerical error, after Appellant filed the motion to dismiss, this court entered an order identifying deficiencies in the prosecution of this appeal. The deficiency order is vacated. Appellant’s motion to dismiss the appeal is granted. See 10th Cir. R. 27.3(A)(9).

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

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in cursive script, appearing to read "Jane K. Castro", with a long horizontal flourish extending to the right.

by: Jane K. Castro
Counsel to the Clerk