

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

February 1, 2018

Elisabeth A. Shumaker
Clerk of Court

JOSHUA LAMONT SUTTON,

Petitioner - Appellant,

v.

JASON LINGERICH, BVCF Warden;
ANGEL MEDINA, Prison Warden at
Arrowhead Correctional Center; THE
ATTORNEY GENERAL OF THE STATE
OF COLORADO,

Respondents - Appellees.

No. 17-1336
(D.C. No. 1:17-CV-01228-LTB)
(D. Colo.)

ORDER

Before **MATHESON** and **BACHARACH**, Circuit Judges.

This matter is before the court on: (1) appellant Joshua Lamont Sutton's *Urgent Objection And/Or Motion to Reconsider; Regarding Refusal to Consider Possibility of Appointing Counsel and Denial of Extension of Time as to the Same—Due to Extraordinary Circumstances*; and (2) his failure to timely file an opening brief and application for certificate of appealability.

Upon consideration, the court denies Mr. Sutton's motion for reconsideration and dismisses his appeal for failure to prosecute. *See* 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 "LA Lee".

by: Lisa A. Lee
Counsel to the Clerk