

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

January 31, 2018

Elisabeth A. Shumaker
Clerk of Court

In re: GERALD LEE PATTERSON,

Petitioner.

No. 17-1435
(D.C. No. 1:11-CV-01899-RM-KLM)
(D. Colo.)

ORDER

Gerald Lee Patterson, proceeding pro se, filed a petition for a writ of mandamus, asking this court to order the district court to rule on the summary judgment motions pending in his *Bivens* lawsuit. After his filing, the district court ruled on those motions. Accordingly, Mr. Patterson has filed a motion to withdraw his mandamus petition, which we construe as a motion to dismiss under Fed. R. App. P. 42(b). The petition for a writ of mandamus is dismissed. Mr. Patterson's motion to proceed in forma pauperis is denied as unnecessary.

Entered for the Court



ELISABETH A. SHUMAKER, Clerk