

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

December 19, 2017

Elisabeth A. Shumaker
Clerk of Court

ANTHONY C. KENNEY,

Plaintiff - Appellant,

v.

BROOKSHIRES FOOD STORE; BRAD
BROOKSHIRE; CHRIS MASSEY;
RAMEY FLOCK,

Defendants - Appellees.

No. 17-6244
(D.C. No. 5:17-CV-01135-HE)
(W.D. Okla.)

ORDER

On November 28, 2017, this court tolled all pending deadlines in this appeal and advised appellant Anthony C. Kenney that it would dismiss this appeal if he did not comply—on or before December 12, 2017—with the filing restrictions this court imposed on him in *Kenney v. SSA ODAR Hearing*, No. 15-6229, 640 F. App’x 803, 805 (10th Cir. 2016) (providing that Mr. Kenney is “enjoin[ed] . . . from proceeding as a petitioner or appellant in this court unless either (1) he is represented by a licensed attorney admitted to practice in this court, or (2) he first obtains permission to proceed pro se”).

Despite this direction, however, no licensed attorney has entered an appearance in this appeal on Mr. Kenney’s behalf, nor has he obtained permission to proceed pro se by following the steps the court established in *Kenney v. SSA ODAR Hearing*. Since issuance of the court’s November 28, 2017 order, Mr. Kenney has filed only a *pro se*

Opening Brief, which brief does not mention the filing restrictions or attempt in any way to fulfill them.

Accordingly, the court dismisses this 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