

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

April 16, 2019

**Elisabeth A. Shumaker
Clerk of Court**

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

No. 18-8074

CHRISTOPHER ROCCO VIGIL,

Defendant - Appellant.

ORDER

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

This matter is before us on Appellant's April 3, 2019 "Notice/Motion," which we construe as a fourth request for an extension of time to file a combined opening brief and application for a certificate of appealability. Appellant has previously been granted numerous extensions of time, and he has been provided with the instructions and forms necessary to prosecute his appeal. Indeed, our February 20, 2019 order warned Appellant that he "must file his pro se brief form by [March 21, 2019]," and our letter of March 29, 2019 advised that Appellant's failure to timely file his brief would result in dismissal of his appeal without further notice.

In light of the foregoing, the fourth request for an extension of time contained in Appellant's "Notice/Motion" is DENIED. This matter is DISMISSED for lack of prosecution pursuant to Tenth Circuit Rule 42.1.

Entered for the Court,

ELISABETH A. SHUMAKER, Clerk

A handwritten signature in black ink, appearing to read "Chris Wolpert", with a long horizontal stroke extending to the right.

by: Chris Wolpert
Chief Deputy Clerk