

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

June 4, 2019

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ELGIN L. PHILLIPS,

Defendant - Appellant.

No. 19-1081
(D.C. No. 1:96-CR-00389-JLK-1)
(D. Colo.)

ORDER

This matter is before the court on appellant Elgin L. Phillips' *Unopposed Motion for Voluntary Dismissal of Appeal*, in which he requests that the court dismiss this appeal pursuant to Federal Rule of Appellate Procedure 42(b) and Tenth Circuit Rule 46.3(C). The motion attaches the requisite statement, signed by Mr. Phillips, demonstrating his knowledge of the right to appeal and expressly electing to withdraw the appeal. *See* 10th Cir. R. 46.3(C). Upon consideration, the court grants the motion and dismisses this appeal. *See* Fed. R. App. P. 42(b); 10th Cir. R. 46.3(C).

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

Entered for the Court
ELISABETH A. SHUMAKER, Clerk



by: Lisa A. Lee
Counsel to the Clerk