

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

July 1, 2019

Elisabeth A. Shumaker
Clerk of Court

JOAN C. LIPIN,

Plaintiff - Appellant,

v.

ARTHUR DODSON WISEHART; ERIN
JAMESON; ELLEN E. WISEHART;
RICHARD [RHJAKOB] KREYCIK,

Defendants - Appellees.

No. 19-1152
(D.C. No. 1:16-CV-00661-RBJ-STV)
(D. Colo.)

ORDER

This matter is before the court on Appellant's *Motion for Voluntary Dismissal*, which also includes a request that the court determine that each party shall bear its own costs. The motion states that the costs request is "in accordance with F. R. App. P. 39(a). . . ." Mtn. at 3. Federal Rule of Appellate Procedure 39 permits an award of costs associated with producing court-required copies of briefs. *See* Fed. R. App. P. 39(c); *see also Bancamerica Commercial Corp. v. Mosher Steel of Kansas, Inc.*, 103 F.3d 80, 82 (10th Cir. 1996) (order). Review of the docket reflects that Appellees did not enter appearances or file pleadings in this matter. Accordingly, the request that the court determine that each party shall bear its own costs is denied as unnecessary.

Appellant's request to voluntarily dismiss this matter is granted. *See* 10th Cir. R.
27.5(A)(9); Fed. R. App. P. Rule 42(b).

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

Entered for the Court

ELISABETH A. SHUMAKER, Clerk

A handwritten signature in black ink, appearing to read "Lindy Lucero Schaible", is written over the printed name.

by: Lindy Lucero Schaible
Counsel to the Clerk