

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

April 5, 2022

Christopher M. Wolpert
Clerk of Court

JOHN REDMOND,

Petitioner - Appellant,

v.

ROSIE RIVERA,

Respondent - Appellee.

No. 22-4018
(D.C. No. 2:20-CV-00465-HCN)
(D. Utah)

ORDER

On March 7, 2022, this court issued a jurisdictional show cause order, suspended briefing in this appeal, and directed Appellant John Redmond to file a memorandum brief addressing any basis in law for the court to exercise jurisdiction over this appeal.

On March 17, 2022, the appellant filed his Response to Order & Request for Dismissal. The appellant asked the court to dismiss this appeal *without* prejudice. The court then entered a second order, advising the appellant that the court's rules do not provide for a dismissal without prejudice and directing him to file a response to the jurisdictional show cause order by March 31, 2022, if he wished to try to save the appeal. The court also offered the appellant the option of not responding to the second order, in which case the court would construe his silence as consent to dismissal of this appeal *with* prejudice. The appellant has not filed a memorandum brief or any other document responsive to the jurisdictional show cause order.

Upon consideration, the court construes the appellant's request for dismissal as a motion to dismiss the case with prejudice and, as construed, grants the motion. *See* Fed. R. App. P. Rule 42(b); 10th Cir. R. 27.5(A)(9).

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

Entered for the Court
CHRISTOPHER M. WOLPERT, Clerk

A handwritten signature in cursive script that reads "Lara Smith".

by: Lara Smith
Counsel to the Clerk