

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

April 13, 2026

Christopher M. Wolpert
Clerk of Court

LAZARO PONCE,

Plaintiff - Appellant,

v.

BART MORTENSEN, Former Warden at
the Utah State Correctional Facility;
CASSIDY ROSS, STG Sergeant; BRIAN
LUNA, Correctional Officer; CATHIE
TRUJILLO, Mail Room Manager;
SHARON D'AMICO, Warden at the Utah
State Correctional Facility; DAVID
SORENSEN, Captain in the Utah
Department of Corrections; BRYAN
(LNU), Lieutenant in the Utah Department
of Corrections; (FNU) NEI, Medical
Nurse; A. CONKLIN, Correctional
Officer; T. LUND, Sergeant in the Utah
Department of Corrections,

Defendants - Appellees.

No. 26-4031
(D.C. No. 2:24-CV-00273-TC)
(D. Utah)

ORDER

This matter is before the court on appellant's motion for voluntary dismissal of this appeal. Upon consideration, the motion is granted. *See* Fed. R. App. P. 42(b) and 10th Cir. R. 27.5(A)(9). Costs are allocated in accordance with the parties' agreement. If there is no agreement, each party shall bear its own costs.

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

Entered for the Court

A handwritten signature in dark ink, appearing to read 'C. Wolpert', with a long horizontal stroke extending to the right.

CHRISTOPHER M. WOLPERT, Clerk