

September 6, 2011

Elisabeth A. Shumaker
Clerk of Court

PUBLISH

UNITED STATES COURT OF APPEALS

TENTH CIRCUIT

SHAABAN SHAABAN HAFED,

Plaintiff-Appellant,

v.

FEDERAL BUREAU OF PRISONS;
MICHAEL MUKASEY; HARLEY
LAPPIN; RON WILEY; ROD
BAUER, sued in their official
capacities,

Defendants-Appellees.

Nos. 09-1090 & 09-1365
(D.C. No. 1:07-CV-01499-ZLW-KMT)
(D. Colo.)

ORDER

Before **BRISCOE**, Chief Judge, and **BALDOCK**, Circuit Judge.

On February 4, 2011, we granted appellant's motion for an extension of time to pay the filing fee in No. 09-1365 and directed that the entire filing fee for No. 09-1365 must be paid no later than September 1, 2011. We further notified appellant that his failure to pay the filing fee as directed would result in the dismissal of No. 09-1365 for failure to prosecute, and the dismissal of No. 09-1090 as moot. *See Hafed v. Fed. Bur. of Prisons*, 635 F.3d 1172, 1180 (10th Cir. 2011). Appellant has not paid the filing fee for No. 09-1365 as

directed. Accordingly, No. 09-1365 is dismissed for failure to prosecute, and No. 09-1090 is dismissed as moot.

Entered for the Court,

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", followed by a horizontal flourish.

ELISABETH A. SHUMAKER, Clerk