

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

April 28, 2021

Christopher M. Wolpert
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSEPH M. UMAN,

Defendant - Appellant.

No. 20-3004
(D.C. No. 2:06-CR-20122-KHV-JPO-1)
(D. Kan.)

ORDER AND JUDGMENT*

Before **MATHESON, BACHARACH, and PHILLIPS**, Circuit Judges.**

This matter is before the court on the “Joint Motion for Summary Disposition/Affirmance.” The parties jointly move for summary affirmance of the district court’s judgment based on this court’s recent published decision in United States v. Salazar, 987 F.3d 1248 (10th Cir. 2021), *en banc reh’g denied* Apr. 12, 2021. The parties acknowledge that this court’s decision in Salazar resolves Defendant-Appellant Uman’s appeal in the government’s favor, but the parties note

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

** Because this matter is being decided on a joint motion for summary affirmance, the panel has determined unanimously that oral argument would not materially assist in the determination of this appeal. *See* Fed. R. App. P. 34(f); 10th Cir. R. 34.1(G). The case is therefore submitted without oral argument.

that Mr. Uman preserves the issue on appeal for review in the United States Supreme Court.

Accordingly, the joint motion for summary affirmance is GRANTED. Based on this court's decision in Salazar, the judgment of the district court is AFFIRMED.

The Clerk is directed to issue the mandate forthwith.

Entered for the Court

Per Curiam