

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

December 11, 2018

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee.

v.

Nos. 18-4119 & 18-4150

RAPOWER-3, LLC, et al.,

Defendants - Appellants.

ORDER

This order is entered to clarify the procedural posture of Case No. 18-4150. This court had abated Case No. 18-4150 because a motion to amend the judgment had been filed in the district court (Dist. Ct. Docket No. 474), which was still pending when the docketing statement was filed in that appeal. The district court resolved the post-judgment motion when it entered its amended and restated judgment on November 13, 2018. (*Id.* 507.) Thus, the cause for abatement was resolved at that point.

The court's order entered earlier today did not expressly lift the abatement in Case No. 18-4150. This order makes clear that the abatement of Case No. 18-4150 is lifted.

The obligation placed on the appellants in our October 24, 2018 order to file a status report notifying us when their post-judgment motion had been resolved is vacated.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in black ink that reads "Lara Smith". The signature is written in a cursive, flowing style.

by: Lara Smith
Counsel to the Clerk