## UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

FILED

JAN 30 2014

MOLLY C. DWYER, CLERK U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

V.

CLIVEN D. BUNDY,

Defendant - Appellant.

No. 13-16623

D.C. No. 2:12-cv-00804-LDG-GWF U.S. District Court for Nevada, Las Vegas

## **ORDER**

A review of the file in this case reveals that the appellant has failed to perfect the appeal as prescribed by the Federal Rules of Appellate Procedure.

Pursuant to Ninth Circuit Rule 42-1, this appeal is dismissed for failure to file the opening brief on appeal in this case.

This order served on the district court shall constitute the mandate of this court.

FOR THE COURT: Molly C. Dwyer Clerk of Court

Estela Urrutia Deputy Clerk