

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

June 2, 2014

FOR THE TENTH CIRCUIT

**Elisabeth A. Shumaker
Clerk of Court**

U.S. COMMODITY FUTURES
TRADING COMMISSION,

Plaintiff,

v.

U.S. VENTURES LC, a Utah limited
liability company; WINSOME
INVESTMENT TRUST, an
unincorporated Texas entity; ROBERT J.
ANDRES; ROBERT L. HOLLOWAY,

Defendants.

ROBERTO E. PENEDO,

Claimant - Appellant,

v.

WAYNE KLEIN,

Receiver - Appellee.

No. 14-4041
(D.C. No. 2:11-CV-00099-BSJ)

ORDER

The captioned appeal is dismissed for lack of prosecution pursuant to
10th Cir. R. 42.1.

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

Entered for the Court

A handwritten signature in black ink, reading "Elisabeth A. Shumaker" with a decorative flourish at the end.

ELISABETH A. SHUMAKER, Clerk