

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

July 9, 2018

Elisabeth A. Shumaker
Clerk of Court

NORTHERN ARAPAHO TRIBE, on its
own behalf and on behalf of its members,

Plaintiff - Appellant

v.

THOMAS E. PRICE, Secretary of the
United States Department of Health and
Human Services, et al.,

Defendants - Appellees.

No. 15-8099
(D.C. No. 2:14-CV-00247-SWS)
(D. Wyo.)

ORDER

By order dated June 16, 2017, the court granted the parties' *Joint Motion to Hold Appeal in Abeyance*, in which the parties represented that Congressional action on The Patient Protection and Affordable Care Act of 2010 might moot this appeal. This matter is now before the court on the *Joint Status Report* the parties filed on July 9, 2018, in which they make essentially the same representation.

Upon consideration, the court continues the abatement of this appeal and directs the parties—on or before August 23, 2018—to file a status report, specifically advising the court of the legislative alternatives that Congress is actively considering that could moot this case. Generalized statements—such as those contained in the parties' July 9, 2018 status report—will be judged insufficient for these purposes. Should appellant fail

to timely file a particularized status report as this order requires, the court may dismiss this appeal in its entirety without further notice. See 10th Cir. R. 42.1.

In the alternative to the filing of a particularized status report, the parties may advise the court whether it may resume consideration of this appeal or dismiss it.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in black ink, appearing to read "LA Lee".

by: Lisa A. Lee
Counsel to the Clerk