

No. 23-1380

IN THE UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

Rocky Mountain Gun Owners, *et al.*,
Plaintiffs-Appellants,

v.

Jared S. Polis, in his official capacity
as Governor of the State of Colorado,
Defendant-Appellee,

Appeal from the United States District Court
for the District of Colorado
No. 1:23-cv-2563-JLK (Hon. John L. Kane)

MOTION TO VOLUNTARILY DISMISS APPEAL

Pursuant to Federal Rule of Appellate Procedure 42(b), Plaintiffs-Appellants hereby move to voluntarily dismiss their appeal. Counsel for the Defendant-Appellee provided the following position: “[T]he Governor agrees to the dismissal of the appeal”. The parties further agree that each side will bear its own costs associated strictly with this appeal.

DATED this 22nd day of August 2024.

Respectfully submitted,

/s/ Michael D. McCoy

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Certificate of Electronic Filing

In accordance with this Court's CM/ECF User's Manual and Local Rules, I hereby certify that the foregoing has been scanned for viruses with Sentinel One, updated August 22, 2024, and is free of viruses according to that program.

In addition, I certify that all required privacy redactions have been made and the electronic version of this document is an exact copy of the written document to be filed with the Clerk.

DATED this 22nd day of August 2024.

/s/ Michael D. McCoy

Michael D. McCoy

Certificate of Service

I certify that on August 22, 2024, I caused the foregoing to be filed through the Court's CM/ECF system, with the Clerk of the Court for the United States Court of Appeals for the Tenth Circuit through the Court's CM/ECF system. I certify that all participants in the case who are registered CM/ECF users will be served by the appellate CM/ECF system and that a PDF copy of this motion will be emailed to opposing counsel immediately after it is filed.

DATED this 22nd day of August 2024.

/s/ Michael D. McCoy _____
Michael D. McCoy
Counsel for Appellants