

No. 21-4069

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

UTAH PHYSICIANS FOR A HEALTHY ENVIRONMENT, et al.,
Plaintiffs/Appellees,

v.

U.S. BUREAU OF LAND MANAGEMENT, et al.,
Defendants/Appellants,

and

ALTON COAL DEVELOPMENT LLC, and the STATE OF UTAH,
Intervenors-Defendants.

Appeal from the United States District Court for the District of Utah,
No. 2:19-CV-00256-DBB (Hon. David B. Barlow)

MOTION TO VOLUNTARILY DISMISS APPEAL

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Under Federal Rule of Appellate Procedure 42(b), Federal Appellants voluntarily move this Court for an order dismissing the above captioned appeal. Appellees and Intervenor do not oppose this motion, and each side shall bear its own costs and fees on appeal.

Respectfully submitted,

/s/ Jeffrey S. Beelaert

JEFFREY S. BEELAERT

Environment and Natural Resources Division
U.S. Department of Justice

June 17, 2021

DJ # 90-1-4-15692

CERTIFICATE OF COMPLIANCE

I certify that the foregoing motion complies with Fed. R. App. P. 27(d)(2)(A) because it contains 41 words. I further certify that the motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because I prepared it using Microsoft Word in a proportionally spaced typeface, Century Schoolbook 14-point. *See* Fed. R. App. P. 27(d)(1)(E).

CERTIFICATE OF DIGITAL SUBMISSION AND PRIVACY REDACTIONS

I certify that a copy of the foregoing motion, as submitted in digital form, was created on a system that has been scanned for viruses by Windows Security, as updated on June 17, 2021, and according to the program, is free of viruses.

I also certify that all required privacy redactions have been made, and that no paper copies were submitted to the clerk's office.

/s/ Jeffrey S. Beelaert
JEFFREY S. BEELAERT
Counsel for Appellants

CERTIFICATE OF SERVICE

I certify that on June 17, 2021, I electronically filed the foregoing motion with the Clerk of the Court for the United States Court of Appeals for the Tenth Circuit using the appellate CM/ECF system. All participants in this case are registered users, and service will be accomplished by the CM/ECF system.

/s/ Jeffrey S. Beelaert
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