

UNITED STATES COURT OF APPEALS

SEP 24 1997

TENTH CIRCUIT

**PATRICK FISHER**  
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CEDRIC DONNELL BROOKS, also  
known as Scout, also known as Adonis  
Bailey,

Defendant - Appellant.

No. 96-1407

(D.C. No. 95-CR-472-A)

(D. Colorado)

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ORDER AND JUDGMENT\*

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Before **TACHA, MCKAY** and **MURPHY**, Circuit Judges.

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Mr. Brooks' appeal is dismissed without prejudice, pursuant to United States v. Galloway, 56 F.3d 1239, 1240 (10th Cir. 1995) (en banc).

**DISMISSED.**

Entered for the Court

Monroe G. McKay  
Senior Circuit Judge

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\*This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.