

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

September 18, 2014

FOR THE TENTH CIRCUIT

**Elisabeth A. Shumaker
Clerk of Court**

CATHERINE BURNS, et al.,

Plaintiffs - Appellees,

v.

JOHN SUTHERS, in his official capacity
as Attorney General of Colorado,

Defendant - Appellant,

and

JOHN W. HICKENLOOPER, JR., in his
official capacity as Governor of Colorado,
et al.,

Defendants.

No. 14-1283
(D.C. No. 1:14-CV-01817-RM-KLM)

ORDER


Before **BACHARACH** and **PHILLIPS**, Circuit Judges.

This matter comes on for consideration of the appellant's motions to abate and to extend the time to file the opening brief and the opposition filed thereto by the appellees.

Upon consideration thereof, the motions are granted as described below.

This appeal is abated pending further order of this court. The deadline for the appellant's opening brief will be established when the abatement of this appeal is lifted.

The parties shall notify this court within 10 days of a decision on the petitions for writ of certiorari pending before the Supreme Court of the United States in *Kitchen v. Herbert*, Supreme Court No. 14-124, and *Bishop v. Smith*, Supreme Court No. 14-136. It is further ordered that the parties shall file status reports 30 days from the date of this order if no decision on the pending writs has been issued by that time.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

by: Ellen Rich Reiter
Jurisdictional Attorney