UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

In re: FURR'S SUPERMARKETS, INC., a Delaware Corporation,

Debtor.

EL PASO PROPERTIES CORP.; JANUS FINANCIAL CORPORATION,

Appellants,

v.

YVETTE J. GONZALES, Trustee,

Appellee.

No. 02-2282
(BAP No. NM-02-016; Bankr. No. 7-01-10779-SA)

Patrick Fisher
Clerk, U.S. Court of Appeals, Tenth Circuit

ORDER

Filed October 28, 2002

This matter is before the court on appellant's motion to dismiss appeal. This appeal is hereby dismissed. 10th Cir. R. 27.3(A)(9).

A certified copy of this order shall stand as and for the mandate of the court.

United States
Bankruptcy Appellate Panel
of the Tenth Circuit

A True Copy

Barbara A. Schermerhorn, Clerk

Attested by: _____
Deputy Clerk

Entered for the Court
Patrick Fisher, Clerk of Court

by: _____
Deputy Clerk

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