UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

FILED

OCT 25 2017

MOLLY C. DWYER, CLERK U.S. COURT OF APPEALS

ENZO FORCELLATI, on Behalf of Himself and all Others Similarly Situated and LISA ROEMMICH, on behalf of themselves and all others similarly situated,

Plaintiffs - Appellees,

PATRICK S. SWEENEY,

Objector - Appellant,

V.

HYLAND'S, INC.; et al.,

Defendants - Appellees.

No. 17-56403

D.C. No. 2:12-cv-01983-ODW-MRW U.S. District Court for Central California, Los Angeles

ORDER

A review of the docket demonstrates that appellant has failed to pay the docketing/filing fees in this case.

Pursuant to Ninth Circuit Rule 42-1, this appeal is dismissed for failure to prosecute.

This order served on the district court shall, 21 days after the date of the order, act as the mandate of this court.

FOR THE COURT:

MOLLY C. DWYER CLERK OF COURT

By: Cyntharee K. Powells Deputy Clerk Ninth Circuit Rule 27-7