

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

TENTH CIRCUIT

June 22, 2016

**Elisabeth A. Shumaker
Clerk of Court**

DELBERT C. STEELE,

Plaintiff-Appellant,

v.

ANGLO GOLD ASHANTI/
CRIPPLE CREEK & VICTOR
GOLD MINE,

Defendant-Appellee.

No. 16-1091
(D.C. No. 1:15-CV-02690-LTB)
(D. Colo.)

ORDER AND JUDGMENT*

Before **LUCERO, MATHESON, and BACHARACH**, Circuit Judges.

The district court dismissed the action without prejudice based on a lack of subject-matter jurisdiction. Mr. Steele agrees with the district court's ruling. Thus, we dismiss the appeal and grant Mr. Steele's

* We do not believe oral argument would be helpful. As a result, we are deciding the appeal based on the briefs. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G).

This order and judgment does not constitute binding precedent except under the doctrines of law of the case, *res judicata*, and collateral estoppel. But the order and judgment may be cited for its persuasive value under Fed. R. App. P. 32.1(a) and 10th Cir. R. 32.1(A).

application for leave to proceed in forma pauperis.

Entered for the Court

Robert E. Bacharach
Circuit Judge