

UNITED STATES COURT OF APPEALS
TENTH CIRCUIT

MAY 1 1998

PATRICK FISHER
Clerk

In re:

CRAY COMPUTER CORPORATION, a
Delaware Corporation,

Debtor,

WILLIAM KUNTZ, III,

Appellant,

v.

U.S. BANKRUPTCY COURT,

Appellee.

No. 97-1428
(D.C. No. 97-K-1811)
(District of Colorado)

ORDER AND JUDGMENT*

Before **PORFILIO, KELLY**, and **HENRY**, Circuit Judges.

After examining the briefs and appellate record, this panel has determined
unanimously that oral argument would not materially assist the determination of this

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. This 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.

appeal. See Fed. R. App. P. 34(a); 10th Cir. R. 34.1.9. The case is therefore ordered submitted without oral argument.

Our examination of the briefs and record leads us to the conclusion the appeal is wholly without merit. The judgment is affirmed for the reasons stated by the district court in its order of dismissal.

ENTERED FOR THE COURT

John C. Porfilio
Circuit Judge