

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JAN 25 2017

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

JOHN S. BIRKE, an individual,

Plaintiff - Appellant,

v.

THE 538 INDIVIDUAL MEMBERS
OF THE ELECTORAL COLLEGE,

Defendant - Appellee.

No. 16-56754

D.C. No. 2:16-cv-08432-R-E
U.S. District Court for Central
California, Los Angeles

ORDER

The motion filed by the appellant John S. Birke on January 23, 2017 for voluntary dismissal of this appeal is granted. This appeal is dismissed. *See* Fed. R. App. P. 42(b); 9th Cir. R. 27-9.1.

This order served on the district court shall constitute 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