

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

PUEBLO OF ZUNI, on behalf of itself
and all others similarly situated,

Petitioner,

v.

UNITED STATES OF AMERICA;
MICHAEL O. LEAVITT, Secretary of the
United States Department of Health and
Human Services; CHARLES GRIM,
Director of the Indian Health Service,
United States Department of Health and
Human Services,

Respondents.

No. 07-503
(Dist. Ct. No. 01-1046 WJ/WPL)

ORDER DENYING PERMISSION

Filed June 25, 2007

Before **TACHA, BRISCOE**, and **TYMKOVICH**, Circuit Judges.

This matter is before the court on the Zuni Pueblo's *Petition For Permission To Appeal* the order entered in the district court on May 22, 2007. The request is made pursuant to Federal Rule of Civil Procedure 23(f) and Federal Rule of Appellate Procedure 5(a). We also have a response from the government, as well as a reply from

the Pueblo. Upon consideration of the pleadings, applicable law, and the file as a whole,
the request for permission is denied.

Entered for the Court,

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", followed by a horizontal line.

ELISABETH A. SHUMAKER

Clerk of Court