

FILED

UNITED STATES COURT OF APPEALS

APR 11 2012

FOR THE NINTH CIRCUIT

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

RIGHTHAVEN LLC,

Plaintiff - Appellant,

v.

REALTY ONE GROUP, INC. and  
DAVID TINA,

Defendants - Appellees.

No. 11-15714

D.C. No. 2:10-cv-01036-LRH-  
PAL

District of Nevada,  
Las Vegas

ORDER

The opening brief was due on February 10, 2012. The appellant has failed to file the brief. This appeal is therefore dismissed for failure to prosecute. 9th Cir. R. 42-1.

A copy of this order sent to the district court shall act as and for the mandate of this court.

The appellee's motion to dismiss this appeal is denied as moot.

For the Court:  
MOLLY C. DWYER  
Clerk of the Court:

Cathie A. Gottlieb, Deputy Clerk  
Ninth Cir. R. 27-7/Advisory Note to Rule 27  
and Ninth Circuit 27-10