

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

**ZHAOQING NEW ZHONGYA ALUMINUM CO., LTD.
AND ZHONGYA SHAPED ALUMINUM (HK)
HOLDING LIMITED,
*Plaintiffs-Appellants,***

AND

**GUANG YA ALUMINUM INDUSTRIES CO., LTD.,
FOSHAN GUANGCHENG ALUMINUM CO., LTD.,
KONG AH INTERNATIONAL COMPANY LIMITED,
GUANG YA ALUMINUM INDUSTRIES (HONG
KONG) LIMITED, AND GUANG CHENG ALUMINUM
INDUSTRIES (USA), INC.,
*Plaintiffs,***

v.

**UNITED STATES,
*Defendant-Appellee,***

AND

**ALUMINUM EXTRUSIONS FAIR TRADE
COMMITTEE,
*Defendant-Appellee.***

2013-1113

ZHAOQING NEW ZHONGYA ALUMINUM V. US

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Appeal from the United States Court of International Trade in consolidated Nos. 11-CV-0178 and 11-CV-0196, Chief Judge Donald C. Pogue.

ON MOTION

Before NEWMAN, REYNA, and WALLACH, *Circuit Judges*.

NEWMAN, *Circuit Judge*.

O R D E R

Zhaoqing New Zhongya Aluminum Co., Ltd. and Zhongya Shaped Aluminum (HK) Holding Limited (Appellants) move for an extension of time to file a brief. Aluminum Extrusions Fair Trade Committee opposes and moves to dismiss this appeal.

Appellants' brief was due April 5, 2013. On April 22, 2013, Appellants filed a motion for an extension of time until April 23, 2013 to file their brief. Appellants failed to file a brief on April 23, 2013.

In its motion for an extension of time, Appellants' counsel stated that he "was planning to file its principal brief by the Friday April 5, 2013 deadline" but that a "computer crash and loss of the pertinent files" prevented him. Counsel then stated that he "could have filed on Monday April 8, 2013" but "further reflection especially over the weekend of April 5-7, 2013 . . . led to the conclusion that filing the principal brief was still premature"

Failure to comply with this court's rules, including failure to file a brief, may result in dismissal of an appeal for failure to prosecute. *Julien v. Zeringue*, 864 F.2d 1572, 1574 (Fed. Cir. 1989).

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Accordingly,

IT IS ORDERED THAT:

- (1) The motion for an extension of time is denied.
- (2) The motion to dismiss is granted.
- (3) Each side shall bear its own costs.

FOR THE COURT

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk

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ISSUED AS A MANDATE: June 18, 2013