

NOTE: This order is nonprecedential.

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

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**PETER MACHLUP,**  
*Plaintiff-Appellant,*

v.

**JEFF T. ASHBY, Assistant Director,  
Division of Building and Housing, City of Lake-  
wood, and CITY OF LAKEWOOD,**  
*Defendant-Appellee.*

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2010-1404

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Appeal from the United States District Court for the  
Northern District of Ohio in case no. 10-CV-0316, Judge  
Dan Aaron Polster.

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**ON MOTION**

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**O R D E R**

Peter Machlup moves without opposition (1) to with-  
draw his motion to voluntarily dismiss his appeal and  
(2) to transfer the appeal to the United States Court of  
Appeals for the Sixth Circuit.

Upon consideration thereof,

IT IS ORDERED THAT:

The motions are granted. The case is transferred to the United States Court of Appeals for the Sixth Circuit pursuant to 28 U.S.C. § 1631.

FOR THE COURT

AUG 3 2010

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Peter Machlup  
John T. McLandrich, Esq.

s17

**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

**AUG 03 2010**

ISSUED AS A MANDATE: AUG 3 2010

**JAN HORBALY  
CLERK**