

**UNITED STATES COURT OF APPEALS**  
**TENTH CIRCUIT**

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**March 15, 2007**

**Elisabeth A. Shumaker**  
**Clerk of Court**

RONALD K. BASSETT,  
Petitioner-Appellee,

v.

R. WILEY, Warden,  
Respondent-Appellant.

No. 06-1514  
District of Colorado  
(D.C. No. 06-CV-374-WYD)

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**ORDER AND JUDGMENT\***

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Before **MURPHY, McWILLIAMS, and HARTZ**, Circuit Judges.

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The abatement entered in this matter originally on January 29, 2007, is lifted. In accord with the response the government submitted to our order dated February 21, 2007, and more particularly in light of our opinion in *Wedelstedt v. Wiley*, \_\_F.3d\_\_, No. 06-1461, 2007 WL 512517 (10th Cir. Feb. 20, 2007), the

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\*After examining the appellate record, this panel has determined unanimously that oral argument would not materially assist in the determination of this appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). This case is therefore submitted without oral argument. This order and judgment is not binding precedent except under the doctrines of law of the case, res judicata and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

judgment of the district court in this matter is AFFIRMED.

Entered for the Court,

Per Curiam