

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

FEB 06 2015

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

UNITED STATES OF AMERICA,

Plaintiff - Appellant,

v.

JOHN ROWLAND MILLS,

Defendant - Appellee.

No. 13-10655

D.C. No. 2:12-cr-01660-JAT-1

ORDER\*

Appeal from the United States District Court  
for the District of Arizona  
James A. Teilborg, Senior District Judge, Presiding

Submitted February 4, 2015\*\*  
San Francisco California

Before: TALLMAN and RAWLINSON, Circuit Judges, and MURPHY, District  
Judge.\*\*\*

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\* This disposition is not appropriate for publication and is not precedent  
except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes this case is suitable for decision  
without oral argument. *See* Fed. R. App. P. 34(a)(2).

\*\*\* The Honorable Stephen Joseph Murphy III, District Judge for the U.S.  
District Court for the Eastern District of Michigan, sitting by designation.

A federal jury found John Rowland Mills guilty of nine counts of violating 18 U.S.C. § 1343 (2012), the federal wire fraud statute. The district court granted Mills's motion for judgment of acquittal on eight of the nine counts, but affirmed as to one count, count fifteen. We address Mills's appeal in a separate memorandum disposition filed contemporaneously with this order.

The government initially filed a cross-appeal, but later withdrew it: "While the United States disagrees with the district court's ruling, it has chosen not to challenge the result in the interest of judicial economy and the strength of its argument presented herein." Letter from John S. Leonardo, AUSA, to Molly Dwyer, Clerk of the Court (Aug. 13, 2014), ECF No. 24. We therefore dismiss the government's cross-appeal.

This order shall serve as the mandate of the court.

**DISMISSED.**