

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

BERNALILLO COUNTY, NEW MEXICO, §
SANDIA MOUNTAIN COALITION, et al., §

Appellants, §

v. §

Pueblo of Sandia §

Appellee. §

§
§
§
§
§
§
§
§
§
§

DKT. NO. 98-5428

STATEMENT AS TO USE OF DEFERRED APPENDIX

Pursuant to the Order herein dated August 21, 1998, Appellants herewith state that a deferred appendix under Fed. R. App. P. 30(c) will not be used.

Respectfully submitted,

Dated: September 21, 1998



Thomas R. Bartman
Shapiro, Lifschitz and Schram, P.C.
1101 Pennsylvania Ave., N.W.
10th Floor
Washington, D.C. 20016
(202) 347-4111
D.C. Bar No. 366667


Attorney for Appellants
Bernalillo County, N.M. &
The Sandia Mountain Coalition

CERTIFICATE OF SERVICE

The undersigned herewith certifies that on September 21, 1998, he caused a copy of (a) Final Report Re Completion of Transcript, (b) Docketing Statement, (c) Entry of Appearance form, (c) the underlying decision, (d) Statement of Issues to be Raised, (e) the Certificate of Counsel Pursuant to Circuit Rule 29(a), and (f) Statement Concerning Use of Deferred Appendix on the following:

Marta Hoilman
U.S. Department of Justice
Environment & Natural Resources Division
Appellate Section
P.O. Box 23795
L'Enfant Plaza Station
Washington, D.C. 20026

Peter T. Grossi, Jr.
James Rosenthal
Arnold & Porter
555 Twelfth Street, N.W.
Washington, D.C. 20004-1202



Thomas R. Bartman