

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

September 29, 2025

Christopher M. Wolpert
Clerk of Court

IKE L. KING,

Plaintiff - Appellant,

v.

MONICA MARQUEZ; BRIAN
BOATRIGHT; WILLIAM W. HOOD, III;
RICHARD L. GABRIEL; MELISSA
HART; CARLOS A. SAMOUR; MARIA
E. BERKENKOTTER; CHERYL
STEVENS; NORMA ANGELICA
SIERRA; DAHLIA D. OLSHER
TANNEN; KELLY O. CLARK,

Defendants - Appellees.

No. 25-1259
(D.C. No. 1:25-CV-00678-LTB-RTG)
(D. Colo.)

ORDER AND JUDGMENT*

Before **FEDERICO, BALDOCK**, and **MURPHY**, Circuit Judges. **

Plaintiff Ike King, appearing pro se, commenced a civil action in Weld County Colorado State District Court against Empire Truck Center and Jason Wilkins alleging a

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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.

** After examining the briefs and 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). The case is therefore ordered submitted without oral argument.

violation of the Colorado Motor Vehicle Repair Act. As well explained in the state district court's order attached hereto as an appendix, Plaintiff's legal filings got out of hand so the state court, consistent with Colorado Supreme Court precedent, enjoined Plaintiff from appearing pro se and required him to retain an attorney if he wished to proceed. *See Francis v. Wegener*, 494 P.3d 598 (Colo. 2021); *Bd. Of Cnty. Comm'rs v. Winslow*, 706 P.2d 792 (Colo. 1985). Instead of directly appealing the state district court's decision as he could have, *see Sanger v. Dennis*, 148 P.3d 404, 409 (Colo. App. 2006) (grant of injunctive relief is considered a final, appealable order), Plaintiff, again appearing pro se, filed this action in federal district court against Colorado Supreme Court Justices Monica Marquez, Brian Boatright, William Hood, III, Richard Gabriel, Melissa Hart, Carlos Samour, Jr., and Maria Berkenkotter; Colorado Supreme Court Clerk Cheryl Stevens; State District Judge Norma Sierra; and Colorado Attorneys Dahlia D. Olsher Tannen and Kelly O. Clark.

In response to two federal district court orders requiring Plaintiff to cure deficiencies in his original complaint, Plaintiff submitted a twenty-five page, single-spaced amended complaint which is the operative pleading in this action. Plaintiff claims a "criminal cover up of organized crime of which each and every Defendant herein is engaged in as active participants." Among a slew of other federal laws, Plaintiff says Defendants have violated the Hobbs Act, 18 U.S.C. § 1951, and the Racketeering Influenced and Corrupt Organization Act, 18 U.S.C. § 1962. As best we can discern from the pleading's rambling nature, what Plaintiff really complains about is the state district court's order enjoining him from proceeding pro se, which he says constitutes extortion and interferes with his freedom of contract. Plaintiff sought compensatory and punitive damages and asked the federal

district court to vacate the “injunction of September 21, 2023” and prevent any “further injunctions against pro se litigants forcing them to hire lawyers.” Accepting a federal magistrate judge’s (Gurley, J.) recommendation, the district court (Babcock, J.) dismissed the amended complaint without prejudice for failure to comply with Federal Rule of Civil Procedure 8 (requiring a complaint to contain a “short and plain statement of the claim”), or alternatively, as barred by both the *Rooker-Feldman* doctrine and immunity doctrines.

Now before us is Plaintiff’s appeal pursuant to 28 U.S.C. § 1291 from the federal district court’s dismissal of his amended complaint. His motion to proceed *in forma pauperis* (IFP) on appeal pursuant to 28 U.S.C. § 1915 is pending. In his appellate brief, Plaintiff tells us, among many other things, that “[t]his case is about organized crime.” Plaintiff now says “Lewis T. Babcock, Senior Judge for the United States District Court for the District of Colorado and Richard T. Gurley, Magistrate Judge for the same United States District Court” have joined “Colorado Public Officials” in a racketeering enterprise to deprive him of his Constitutional rights. Because the *Rooker-Feldman* doctrine bars a federal action brought by a state-court loser complaining of injuries allegedly caused by a state court’s final decision rendered before commencement of the federal proceeding, *see Exxon Mobil Corp. v. Saudi Basic Indus.*, 544 U.S. 280, 284 (2005), this appeal is plainly frivolous, and as such, we are empowered to summarily dismiss it. Subsection (e)(2)(B)(i) of the *IFP* statute provides that “the court shall dismiss the case at any time if the court determines . . . the action is frivolous.”

Accordingly, we DENY Plaintiff's motion to proceed *IFP* and AFFIRM the district court's dismissal of his amended complaint. We modify the district court's judgment however and direct that Plaintiff's action be DISMISSED WITH PREJUDICE.

Entered for the Court

Bobby R. Baldock
Circuit Judge