

March 21, 2011

UNITED STATES COURT OF APPEALS

Elisabeth A. Shumaker
Clerk of Court

TENTH CIRCUIT

TAMARA RANNEVA,
Plaintiff–Appellant,

v.

SOCIAL SECURITY
ADMINISTRATION, (SSA);
DENVER DEPARTMENT OF
HUMAN SERVICES, (DDHS);
JEWISH FAMILY SERVICES OF
COLORADO (JFS),

Defendants–Appellees.

No. 10-1545

(D.C. No. 1:10-CV-02212-ZLW)

(D. Colo.)

ORDER AND JUDGMENT*

Before **O’BRIEN, McKAY, and TYMKOVICH**, Circuit Judges.

After examining Plaintiff’s brief and 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 ordered submitted without oral argument.

Plaintiff Tamara Ranneva appeals from the district court’s dismissal of her action without prejudice based on her failure to comply with the magistrate

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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

judge's order to file an amended complaint that complied with Rule 8 of the Federal Rules of Judicial Procedure. The magistrate judge's order informed Ms. Ranneva of Rule 8's requirements and warned her that her case would be dismissed if she failed to comply with this order. In its order dismissing the action, the district court concluded the magistrate judge had correctly instructed Ms. Ranneva to file an amended complaint and Ms. Ranneva's complaint should be dismissed without prejudice based on her failure to do so.

On appeal, Ms. Ranneva argues she was not required to comply with the order directing her to file an amended complaint because that order was an invalid anonymous forgery that had not been authored by the magistrate judge, since the order contained only a typed "/s/" electronic signature instead of the magistrate judge's handwritten signature. Ms. Ranneva also argues the district court violated judicial procedures by mistakenly referring to her as a prisoner, rearranging the order of the defendants on the case caption, listing the wrong docket number on an order, forging stamps and dates on court documents, failing to provide her with a copy of the local rules, and sending her anonymous unsigned orders.

After thoroughly reviewing the record on appeal, we conclude that the district court did not abuse its discretion by dismissing this action without prejudice. *See Nasious v. Two Unknown BICE Agents*, 492 F.3d 1158, 1161-62 (10th Cir. 2007). Ms. Ranneva was not free to ignore the order requiring an amended complaint simply because she erroneously believed this order to be

invalid based on the lack of a handwritten signature. To the extent Ms. Ranneva's other arguments are supported by the record, they do not show any prejudicial effect on her legal rights. Although we construe Ms. Ranneva's pro se filings liberally and are aware of the difficulties she faces in proceeding pro se as an immigrant with limited English skills, we simply see no arguable legal basis for reversal in her appellate brief and supplemental filings. We therefore **AFFIRM** the judgment of the district court and **DENY** Ms. Ranneva's motion for leave to proceed *in forma pauperis* on appeal. Ms. Ranneva is required to immediately make full payment of her appellate filing fees.

ENTERED FOR THE COURT

Monroe G. McKay
Circuit Judge