

June 15, 2012

UNITED STATES COURT OF APPEALS
TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

PAUL HOWARD TILLEY,

Plaintiff - Appellant,

v.

DON MCFARLAND; MITCHELL
MCCUNE, Municipal Judge, City of
Tulsa; LISA STILES; CITY OF
OKEMAH,

Defendants - Appellees.

No. 12-7030
(D.C. No. 6:10-CV-00432-FHS)
(E.D. Okla.)

ORDER AND JUDGMENT*

Before **KELLY, TYMKOVICH,** and **GORSUCH,** Circuit Judges.

Paul Tilley filed this suit against a private attorney, a municipal judge, and his clerk. He alleges the defendants intimidated him during a court appearance.

In a thorough four-page order, the district court granted Mr. Tilley’s motion to

* After examining appellant’s brief and the appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. *See* Fed. R. App. P. 34(a)(2) and 10th Cir. R. 34.1(G). The case is therefore ordered 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 This order and judgment is not binding precedent except under the doctrines of law of the case, *res judicata* and collateral estoppel.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.

proceed *in forma pauperis* and dismissed his complaint pursuant to 28 U.S.C. § 1915(e), which governs proceedings *in forma pauperis* and provides that “the court shall dismiss the case at any time if the court determines that . . . the action . . . fails to state a claim on which relief may be granted.” 28 U.S.C. § 1915(e)(2)(B)(ii). Mr. Tilley appeals this decision. After careful review of his pleadings, we discern no error and so affirm the district court’s judgment. *See Fogle v. Pierson*, 435 F.3d 1252, 1259 (10th Cir. 2006) (“We generally review a district court’s dismissal for frivolousness under § 1915 for abuse of discretion.”).

ENTERED FOR THE COURT

Neil M. Gorsuch
Circuit Judge