

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

August 30, 2016

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

PAUL JERRY GONZALES,

Plaintiff - Appellant,

v.

STATE OF COLORADO; GOVERNOR JOHN HICKENLOOPER; COLORADO STATE ATTORNEY GENERAL CYNTHIA H. COFFMAN; COLORADO SECRETARY OF STATE WAYNE W. WILLIAMS; AMERICAN BAR ASSOCIATION (all licensed bar attorneys and assistants); COLORADO BAR ASSOCIATION (all licensed bar attorneys and assistants); MESA COUNTY COURT (all of the judges and their assistants); MESA COUNTY; MESA COUNTY SHERIFF MATT LEWIS; MESA COUNTY JAIL (all deputies in the sheriff's department); UNITED STATES OF AMERICA; PRESIDENT OF THE UNITED STATES OF AMERICA; SECRETARY OF THE TREASURY; FEDERAL RESERVE; UNITED STATES SECRETARY OF THE STATE; UNITED STATES ATTORNEY GENERAL; UNITED STATES DEPARTMENT OF TRANSPORTATION; INTERNAL REVENUE SERVICE; IRS-CID; FEDERAL BUREAU OF INVESTIGATION; BENCHMARK REAL ESTATE; MCCARTHY & HOLLTHUS LLP; NATIONWIDE LEGAL LLC; JP MORGAN CHASE BANK, NATIONAL ASSOCIATION,

Defendants - Appellees.

No. 16-1226
(D.C. No. 1:16-CV-00184-LTB)
(D. Colo.)

ORDER AND JUDGMENT*

Before **HARTZ, MURPHY, and PHILLIPS**, Circuit Judges.

Paul Gonzalez initiated this action by filing an Affidavit of Obligation of Commercial Lien. On February 23, 2016, Gonzalez filed a Complaint. On January 26, 2016, Magistrate Judge Gordon Gallagher ordered Gonzalez to file an amended complaint clarifying his claims. On March 11, 2016, Gonzalez filed his Amended Complaint. On April 4, 2016, before the defendants were served, District Judge Lewis Babcock dismissed the action for failure to comply with the pleading requirements of Fed. R. Civ. P. 8. Judge Babcock certified that any appeal from his order would not be taken in good faith and denied *in forma pauperis* status for any appeal. *See* 28 U.S.C. § 1915(a)(3).

Because Gonzalez is pro se, we construe his pro se pleadings liberally, but we do not serve as his advocate. *James v. Wadas*, 724 F.3d 1312, 1315 (10th Cir. 2013). Even reviewing Gonzalez’s filings liberally, we see no valid appellate issue. For instance, in response to the pro se briefing-format’s questions, “Do you think the district court applied the wrong law? If so, what law do you want applied?” Gonzalez

* After examining the briefs and appellate record, this panel has determined unanimously to honor the parties’ request for a decision on the briefs without oral argument. *See* Fed. R. App. P. 34(f); 10th Cir. R. 34.1(G). The case is therefore 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.

writes only that “[t]he District Court has forgotten tha[t] he is the one who chose to protect the People and he is the one who should know the laws and I shall not be treated like a pig.” Opening Br. at 4. Thus, we see no basis for reversing the district court.

Gonzalez also filed a motion to proceed *in forma pauperis*. To be granted *in forma pauperis* status, Gonzalez must show “a financial inability to pay the required [filing] fees and the existence of a reasoned, nonfrivolous argument on the law and facts in support of the issues raised on appeal.” *Watkins v. Leyba*, 543 F.3d 624, 627 (10th Cir. 2008) (alteration in original) (quoting *McIntosh v. U.S. Parole Comm’n*, 115 F.3d 809, 812 (10th Cir. 1997)). We find no reasoned, nonfrivolous argument here and so we deny Gonzalez’s motion to proceed *in forma pauperis*.

We affirm the district court and deny Gonzalez’s motion to proceed *in forma pauperis*.

Entered for the Court

Gregory A. Phillips
Circuit Judge