

September 13, 2010

UNITED STATES COURT OF APPEALS

Elisabeth A. Shumaker
Clerk of Court

TENTH CIRCUIT

JOHN MOORE,

Plaintiff - Appellant,

v.

STATE OF COLORADO,
DEPARTMENT OF HUMAN
SERVICES; RUTH
TRUMPFHELLER,

Defendants - Appellees.

No. 10-1204

(D. Colorado)

(D.C. No. 1:10-CV-00426-ZLW)

JOHN MOORE,

Plaintiff - Appellant,

v.

DR. SAM JAHANI; DR. STEVE
PADUA; DELTA COUNTY
HOSPITAL; INSURANCE
COMPANYS [sic] FOR THE
DEFENDANTS,

Defendants - Appellees.

No. 10-1213

(D. Colorado)

(D.C. No. 1:10-CV-00425-ZLW)

JOHN MOORE,

Plaintiff - Appellant,

v.

DELTA COUNTY HOSPITAL;
STEVE PADUA; DR. SAM JAHANI;
TOM MINGEN, Hospital

No. 10-1222

(D. Colorado)

(D.C. No. 1:10-CV-01018-ZLW)

Administrator; COPIC INSURANCE
COMPANY; THE BOARD OF
DIRECTORS; BILL HELLMAN;
JOHN MUSSER; JOHN
BREITNAUER; THEIMA STARNER;
DORY FUNK,

Defendants - Appellees.

ORDER AND JUDGMENT*

Before **HARTZ, ANDERSON, and TYMKOVICH**, Circuit Judges.

We consolidate these three appeals filed by John Moore.

In 10-1204 and 10-1213, Mr. Moore appeals dismissals without prejudice by the district court. In both cases the court held that his complaint failed to satisfy the requirements of Fed. R. Civ. P. 8. Those holdings were clearly correct. Even liberally construing Mr. Moore's pro se complaints, it is impossible to determine the basis of the federal court's jurisdiction or the basis of a colorable

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 This order and judgment is not binding precedent except under the doctrines of law of the case, res judicata, and collateral estoppel.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

cause of action. We therefore AFFIRM the judgments below and the denials of Mr. Moore's postjudgment motions.

In 10-1222, Mr. Moore filed a similarly defective complaint. But before the complaint could be dismissed for failure to comply with Rule 8, Mr. Moore wrote a letter to the magistrate judge stating in its entirety: "I what [sic] this case to be dismiss # case 10CV01018 [the district-court case number]." R. at 9. The district court properly construed the letter as a motion to dismiss and granted dismissal without prejudice. On appeal Mr. Moore states his two issues as "I what a hearing" and "it is not right." Aplt. Br. at 3. We AFFIRM the judgment below.

We DENY Mr. Moore's motions to proceed *in forma pauperis*.

ENTERED FOR THE COURT

Harris L Hartz
Circuit Judge