

UNITED STATES COURT OF APPEALS

September 10, 2014

TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

NIKOS WARRENCE,

Plaintiff – Appellant,

v.

BARACK HUSSEIN OBAMA II,
United States President; UNITED
STATES JUSTICE DEPARTMENT,
as an entity and all individual
members directed police and green-
lighting Nazi book-burning, felony
intimidation with the threat of
violence and death, infinite fascist
actions on the part of any government
official (ERIC HOLDER listed
separately in attached); U.S.
SUPREME COURT as an entity
(members follows, all sent via USPS
notification); JOHN G. ROBERTS;
SONIA SOTOMAYOR; STEPHEN J.
BREYER; SAMUEL A. ALITO;
ELENA KAGAN; CLARENCE
THOMAS; ANTONIN SCALIA;
ANTHONY KENNEDY; RUTH
BADER GINSBURG; CHIEF TENTH
CIRCUIT COURT OF APPEALS
JUDGE MARY BRISCOE; and 81
ADDITIONAL NAZI BOOK-
BURNING FELONS,

Defendants – Appellees.

No. 14-1279
(D.C. No. 1:14-CV-00898-LTB)
(D. Colorado)

ORDER AND JUDGMENT*

Before **KELLY, ANDERSON, and BACHARACH**, Circuit Judges.

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.

Plaintiff and Appellant, Nikos Warrence, proceeding *pro se*, appeals the dismissal of his action filed below. Mr. Warrence initiated this action against numerous federal officials, including many judges and justices, by filing a “Federal Injunction Request.” The magistrate judge to whom the matter was referred ordered Mr. Warrence to submit a motion and affidavit to proceed, pursuant to 28 U.S.C. § 1915, on the court-approved form, or pay the filing fee within thirty days. The magistrate judge also ordered Mr. Warrence to file a complaint on the proper form that complied with Fed. R. Civ. P. 8. The judge

*This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 32.1.

further gave Mr. Warrence an additional thirty days to comply, after Mr. Warrence filed two non-conforming documents.

Mr. Warrence subsequently filed a complaint on the proper form, which he entitled “Request for Anti-Justice System Corruption and Thin-Blue-Line Felony Protectionism Investigation and Prosecution in the United States State of Colorado in the Spirit of Dr. Rubin ‘Hurricane’ Carter.” The district court reviewed the complaint, determined it was frivolous under 28 U.S.C. § 1915(e)(2)(B), and dismissed it. The court also determined that any appeal would not be taken in good faith and therefore denied *in forma pauperis* (“*ifp*”) status on appeal. Mr. Warrence appeals that dismissal.

The district court noted its obligation to construe Mr. Warrence’s complaint liberally, in view of his *pro se* status. Despite that view of Mr. Warrence’s pleadings, the district court was compelled to make the following observations about this case:

Despite specific instructions provided by [the magistrate judge], the Complaint continues to fail to set forth a short and plain statement of (1) the grounds for the court’s jurisdiction; (2) the claims showing Mr. Warrence is entitled to relief; and (3) the relief he seeks in this action. The Complaint is largely unintelligible; it is a verbose, disorganized, and confusing diatribe. In short, the Complaint makes no sense.

Order of Dismissal at 3; R. Vol. 1 at 102. The court then determined that Mr. Warrence’s claims were both legally and factually frivolous. Thus, they were baseless and the court dismissed them as frivolous under § 1915(e)(2)(B).

The district court then certified pursuant to 28 U.S.C. § 1915(a)(3) that any appeal of its order would not be taken in good faith and it denied *ifp* status for an appeal. This appeal followed.

Mr. Warrence's appeal fails to make any improvement on the rambling incoherent statements he made below. He certainly fails to convince us of any error in the district court's disposition of this case.

For the foregoing reasons, we AFFIRM the dismissal of this case as frivolous, and we DENY Mr. Warrence's request to proceed *ifp* on appeal.

ENTERED FOR THE COURT

Stephen H. Anderson
Circuit Judge