

December 12, 2014

UNITED STATES COURT OF APPEALS

Elisabeth A. Shumaker
Clerk of Court

TENTH CIRCUIT

ALVIN D. BRUTON, SR.,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA,

Defendant - Appellee.

No. 14-2127

(D.C. No. 2:11-CV-00330-WJ-KBM)

(D.N.M.)

ORDER AND JUDGMENT*

Before **GORSUCH, O'BRIEN, and HOLMES**, Circuit Judges.

Unhappy with the treatment he received from the Veterans Administration Medical Center in Albuquerque, Alvin Bruton sued the United States and the State of New Mexico. The district court dismissed his claims against the State early on. After more than a year of unfruitful procedural wrangling over Mr. Bruton's need for an expert witness to prove up his case against the United States, the district court dismissed that claim, too. In his briefing before us Mr. Bruton

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 This order and judgment is not binding precedent except under the doctrines of law of the case, *res judicata*, and collateral estoppel.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

doesn't directly address the district court's ruling, let alone identify any defect in it. While this court takes seriously its obligation to construe liberally *pro se* filings like Mr. Bruton's, it will not invent arguments for reversal that a litigant does not even touch upon: "the court cannot take on the responsibility of serving as the litigant's attorney in constructing arguments and searching the record." *Garrett v. Selby Connor Maddux & Janer*, 425 F.3d 836, 840 (10th Cir. 2005).

The district court's judgment is affirmed. Mr. Bruton's *in forma pauperis* motion and his motion to reconsider are denied, and he remains obligated to pay the \$505 filing fee in full.

ENTERED FOR THE COURT

Neil M. Gorsuch
Circuit Judge