

August 23, 2012

UNITED STATES COURT OF APPEALS

Elisabeth A. Shumaker
Clerk of Court

TENTH CIRCUIT

ALEX HUAQIANG LEO,

Plaintiff - Appellant,

v.

UNITED STATES DISTRICT
COURT, DISTRICT OF KANSAS;
KATHRYN H. VRATIL, Chief Judge;
J. THOMAS MARTEN, U.S. District
Judge,

Defendants - Appellees.

No. 12-3100
(D.C. No. 2:12-CV-02168-CM-JPO)
(D. Kan.)

ORDER AND JUDGMENT*

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

Plaintiff-Appellant Alex HuaQiang Leo appeals the dismissal of his complaint as frivolous and for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B). The district court determined that Mr. Leo continues to

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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

** After examining the briefs and the appellate record, this three-judge panel has determined unanimously that oral argument would not be of material assistance in the determination of this appeal. See Fed. R. App. P. 34(a); 10th Cir. R. 34.1(G). The cause is therefore ordered submitted without oral argument.

challenge orders in other federal cases concerning his discrimination claims against Garmin International. See Leo v. Garmin Int'l, Inc., 431 F. App'x. 702 (10th Cir. 2011) (affirming summary judgment in favor of Garmin on age and race discrimination claims); Leo v. Garmin Int'l, Inc., 464 F. App'x. 737 (10th Cir. 2012) (affirming dismissal of second suit as barred by res judicata and denial of post-judgment motions); Leo v. Garmin Int'l, Inc., 464 F. App'x. 740 (10th Cir. 2012) (affirming denial of Rule 60(b) motion); Leo v. Garmin Int'l, Inc., 464 F. App'x. 744 (10th Cir. 2012) (affirming denial of post-judgment motions and remanding for district court to determine reasonable attorney's fees as a sanction).

We agree with the district court's disposition; Mr. Leo's amended complaint is an improper and repetitive attack on prior district court rulings, when in fact our holdings are the law of the case, McWilliams v. Colorado, 121 F.3d 573, 574 (10th Cir. 1997), and the judicial defendants are protected by absolute judicial immunity, Hunt v. Bennett, 17 F.3d 1263, 1266 (10th Cir. 1994).

AFFIRMED.

Entered for the Court

Paul J. Kelly, Jr.
Circuit Judge