

UNITED STATES COURT OF APPEALS
TENTH CIRCUIT

June 4, 2007

Elisabeth A. Shumaker
Clerk of Court

LARRY WHITE,

Petitioner-Appellant,

v.

LOU A. HESSE, Supt. CCF; JOE
ORTIZ, Executive Director, CDOC; and
JOHN W. SUTHERS, Attorney General
of the State of Colorado,

Respondents-Appellees.

No. 07-1093
(D.C. No. 06-cv-1901-ZLW)
(D. Colo.)

LARRY WHITE,

Petitioner-Appellant,

v.

MARK MCKINNA, Supt. F.C.F. and
JOHN W. SUTHERS, Attorney General
of the State of Colorado,

Respondents-Appellees.

No. 07-1029
(D.C. No. 06-cv-1194-WYD)
(D. Colo.)

ORDER AND JUDGMENT*

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 This order and judgment is not binding precedent except under the doctrines of law of the case, *res judicata* and collateral estoppel.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

Before **LUCERO, HARTZ, and GORSUCH**, Circuit Judges.

Larry White, a state prisoner incarcerated in Colorado, has litigated at least six previous federal habeas petitions before adding these two. Mr. White's latest filings pursuant to 28 U.S.C. § 2241 complain about alleged unfairness in his parole proceedings. But even construing his petitions with the generosity due *pro se* matters, the two separate district courts assessing them noted that they merely repeat allegations contained, or make arguments that could have been brought, in Mr. White's many previous petitions. Accordingly, both district courts dismissed Mr. White's latest filings pursuant to 28 U.S.C. § 2244. Both courts also warned Mr. White that any future repetitive filings will result in the imposition of sanctions; denied Mr. White's applications for leave to pursue appeals *in forma pauperis*, on the basis that his proposed appeals presented no reasoned argument in law or fact; and declined to issue Mr. White certificates of appealability ("COA").

Our independent review of Mr. White's proposed appellate filings confirms the appropriateness of each of these dispositions. Accordingly, we deny Mr. White's requests for a COA, deny his requests to proceed *in forma pauperis*, deny his outstanding motions in this case, dismiss his appeals, and add our voice to those of the district courts in warning Mr. White that future repetitive or abusive

filings in this court may be met by appropriate sanctions. *See Andrews v. Heaton*,
483 F.3d 1070, 1077-78 (10th Cir. 2007). *So ordered.*

ENTERED FOR THE COURT

Neil M. Gorsuch
Circuit Judge