

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

December 6, 2017

Elisabeth A. Shumaker
Clerk of Court

MUAMAR A. SAYYED,

Plaintiff - Appellant,

v.

SIX CHURCHES; LIVING WORD
LUTHERAN CHURCH; ZION
LUTHERAN CHURCH; MONTROSE
UNITED METHODIST CHURCH; ST.
MARGARET MARY CATHOLIC
CHURCH; VICTORY BAPTIST
CHURCH; CORNERSTONE
CHRISTIAN CHURCH,

Defendants - Appellees.

No. 17-1254
(D.C. No. 1:17-CV-01259-LTB)
(D. Colo.)

ORDER AND JUDGMENT*

Before **HOLMES**, **McHUGH**, and **MORITZ**, Circuit Judges.

Pro se prisoner Muamar Asad Sayyed asserts that he is the Spirit of God and the Son of Man, the second coming of Jesus Christ and the Messiah for which the Bible instructs Christians to watch. He sued several churches, alleging that as the

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 This order and judgment is not binding precedent, except under the doctrines of law of the case, *res judicata*, and collateral estoppel.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

Son of Man, “he is entitled to recognition, support, Honor and complete control of defendants’ Affairs,” yet the defendant churches had failed to “abide by clear and explicit agreements and contracts set forth in the Holy Bible.” R. at 38, 39. The district court dismissed the suit as legally frivolous because Mr. Sayyed had failed to identify any express or implied contract or any meeting of the minds between him and the defendant churches. In the alternative, the district court determined that the allegations were factually frivolous. Mr. Sayyed appeals.

On appeal, Mr. Sayyed continues to press his contentions that he is “The Spirit of God/Words of God, the second coming . . . of Jesus Christ . . . The Holy Spirit,” Aplt. Br. at 18, and that the defendant churches have an obligation, set forth in the Bible, to “watch and be ready for the coming of the Son of Man” and “honor, and lift up the Son of Man (Appellant),” *id.* at 19 (internal quotation marks omitted). As he did in the district court, he attempts to support his contentions with extensive discussions of numerology. But nothing in Mr. Sayyed’s appeal brief undermines the district court’s conclusion that the lawsuit is both legally and factually frivolous. We therefore affirm the dismissal for substantially the reasons discussed by the district court.

We further determine that this appeal is frivolous. Accordingly, we deny Mr. Sayyed’s motion to proceed without prepayment of costs and fees (IFP), *see DeBardleben v. Quinlan*, 937 F.2d 502, 505 (10th Cir. 1991) (requiring an appellant to present “a reasoned, nonfrivolous argument on the law and facts” to proceed IFP), and order him to tender the full amount of the filing and docketing fees

to the clerk of the United States District Court for the District of Colorado.

Additionally, we assess a strike under 28 U.S.C. § 1915(g) for this appeal.

The judgment of the district court is affirmed.

Entered for the Court

Carolyn B. McHugh
Circuit Judge